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SPEECH

OF

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WILLIAM COST JOHNSON,

OF MARYLAND,

ON

RESOLUTIONS WHICH HE HAD OFFERED

PROPOSING TO APPROPRIATE

PUBLIC LAND FOR EDUCATIONAL PURPOSES,

TO ALL

THE STATES AND TERRITORIES.

DELIVERED IN THE

HOUSE OF REPRESENTATIVES, DURING THE MORNING HOUR,

FEBRUARY, 1838.



WASHINGTON:

PRINTED BY GALES AND SEATON.

1838.

LB 2827  
J7



## SPEECH.

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Mr. SPEAKER: It will be recollected by the House, that, on the 11th of December, an able member from Alabama, [Judge LAWLER,] proposed the following resolution:

*Resolved*, That it is expedient to reduce, according to some equitable scale of graduation, the price of such portions of the public lands as will not sell within a reasonable length of time at one dollar and twenty-five cents per acre; and that the lands which cannot be sold at such reduced prices, after being so offered for the term of — years, should be relinquished to the States, severally, in which they are situated."

On the 22d of December, I submitted the following resolution, to be printed, stating at the time that I should move it either as a substitute or as an amendment to the resolution offered by the gentleman from Alabama, when his resolution should come up for consideration, viz:

*Resolved*, That a committee of one from each State be appointed by the Chair, to inquire into the propriety of reporting a bill to appropriate, for the purposes of free schools, academies, and the purposes of education, an increased portion of the public lands, for the benefit of all the States and Territories."

On motion of a member from Virginia, [General MERCER,] a few days ago, the resolution of the gentleman from Alabama was referred to the Committee of the Whole on the state of the Union; and the resolution which I have had the honor of offering, takes precedence in the House.

From this circumstance, the whole order of the debate became changed.

I had flattered myself that, before I should trouble the House with any remarks, I would have profited by the arguments of the able member who submitted the first resolution,\* and of those members of

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\* After my speech was delivered, Mr. LAWLER obtained the floor in support of his resolution, and in answer to those offered by myself and my remarks upon them. He occupied a portion of the morning hour, and the following day moved that the resolutions which I offered should take the same direction which his had; and, therefore, moved their reference to the Committee of the Whole on the state of the Union, so that both propositions could be discussed fully at the same time, and without such frequent interruptions, when he would complete his remarks; which motion, by general consent, prevailed.

I deem it due, under the circumstances and to my own feelings, to offer my humble tribute of respect to the memory of one who was intercepted by death in the midst of his public career, and before he had concluded his speech, which promised to endear him to his State. My seat adjoined his, and I knew him well. I esteemed him as pure in public as he was amiable and kind in private life. Intelligent without ostentation; eminently useful without vanity; purely honest for the love of virtue; and feeling no other incentive to ambition but that which characterizes an honest man; devoting his best talents and judgment for the interest of his constituents and his country, and to leave, as he did, an unimpeachable reputation to his family and his country.—*Note by Mr. Johnson.*

this House who advocate a reduction of the price of the public lands, and a surrender of them to the States in which they lie; but, instead of coming in at the eleventh hour in support of what I intended to offer as a substitute, I am unexpectedly forced to lead in this discussion.

I shall not make my remarks more fatiguing, by a trespass upon the time of the House, with a long apology for offering them; but, in order to present the proposition which I have made in more definite terms, I must request the Clerk to read the following resolutions, which I beg leave to offer as a modification of the resolution now under consideration:

*Resolved*, That each of the United States has an equal right to participate in the benefits of the public lands, the common property of the nation.

*Resolved*, That each of the States in whose favor Congress has not made appropriations of land for the purposes of education is entitled to such appropriations as will correspond, in a just proportion, with those heretofore made in favor of other States.

*Resolved*, That the Committee of ——— report a bill making an increased appropriation of the public lands, the property of the United States, yet unappropriated, to all the States and Territories of the Union, for the purposes of free schools, academies, and the promotion and diffusion of education in every part of the United States.

It is my purpose to be as brief as I may, in the examination of the subjects embraced in the resolutions; and their importance must plead my excuse if I should fatigue the attention of the House. They are of great and important interest; and, in my apprehension, no propositions could be submitted to the consideration of Congress which would have higher claims to urge them upon the earnest attention of every member in this hall. Not only are the general interests of every State deeply concerned, but I maintain that the individual interest of every citizen in the Union is most obviously involved. Then, as a question of either individual concernment or as a subject of national policy, the distribution of the public lands, as proposed by the resolutions, addresses itself to the calm and dispassionate deliberation of all.

Not being allowed the benefit of the oral arguments which may be offered in support of the proposition to reduce the price of the public lands, I have devoted as much time as I could control, in the multifarious labors I have had to perform, in examining the printed reports which have been made at various times by the Committees on the Public Lands. The committee of the present Congress have already made a short report on the subject, which comprises the views of former committees; and, in some respects, the precise phraseology and arguments.

I will first examine the report made on this subject by the committee of the 23d Congress, as it is more comprehensive and elaborate, and was prepared by the chairman, who has since filled the most distinguished places within the gift of his State, [Mr. CLAY, of Alabama.]

The report states:

“That the committee have felt it their duty to look into the origin of the claim of the United States to the public domain, the better to comprehend the motives and inducements

to the various cessions which were made by the States having claims to Western lands, and the obligations incurred by the General Government under those compacts. It is from this source that the title of the United States to much the larger portion of the public lands is derived."

The report then alludes to the manner in which the General Government has acquired its claim to the Western domain, and finally comes to the significant conclusion that the Western States would *now*, perhaps, "be reluctant to raise the question" of the Government's right to the Western lands.

I should, I am sure, exhaust the patience of the House, and my own strength, were I to give a particular history of the claims of the United States to the Western lands, and the various antecedent controversies between the colonies and different European nations, relative to territorial jurisdiction and right of soil. In taking a brief notice of the past, my object will be to present some substantial principles upon which this subject rests, and to explain, in some degree, the reasons for the deep interest which Maryland, as well as other of the old States, have always taken in the honorable and fair adjustment of every controversy relating to the Western lands. It is fresh in the recollection of the historical reader, that at one time the entire country north of the Gulf of Mexico, to the present northern boundary of the United States, was called Virginia; and that Queen Elizabeth gave Sir Walter Raleigh a patent, almost without a name or limit.

The patents granted afterwards to the London Company were scarcely more definite. By that granted in 1609; South Virginia comprised all the country, including Pennsylvania, Maryland, North and South Carolina, from the Atlantic ocean to the South sea. Embryo kingdoms were given away in a world unexplored and but little known. The extent of the grants was unknown, for the magnitude of this continent was not comprehended at that time in Europe. At the date of those grants, the South sea was thought to approach near the Atlantic; and no one imagined that, in this latitude, it was some three or four thousand miles distant. Sir Francis Drake had seen the Pacific and Atlantic oceans from the same point on the Isthmus of Darien, and the proximity of the two seas was supposed to be the same along the Northern coast. The history of Virginia, by Stith, will show "that, in 1608, a company was organized in England, and built a barge that could be taken to pieces, with which the company were directed, under the command of Captain Newport, to go up the James River, with a view to discover the country of the Monakins; and from thence they were to proceed, *carrying their barge, beyond the falls, to convey them to the South sea.*"

The charter of Virginia was repeatedly forfeited. Maryland was carved out of its limits, as was North Carolina. Indeed, from Maine to Florida, the whole seacoast was (if I may be allowed the figure used by Mr. Clay, before the Virginia Legislature, in speaking of the Kentucky land claims) shingled over with charters to various



individuals and companies, from different nations of Europe, claiming title to the land, by either the right of discovery, of possession, or of conquest.

Virginia, by the forfeiture of her charter, was made a royal Government, and, consequently, the waste lands were claimed by the *Crown*.

By the treaty of 1763, between England and France, the Mississippi was established as the boundary between British America and Louisiana. This brought the line of Virginia very much short of the Pacific ocean.

The Western lands were claimed by the British Crown, and *ceded to it by the treaty of Paris*. Virginia now ceased to claim the territory "north of the lakes."

In fine, thirteen colonies had been carved out of Virginia, at the period of the Revolution, and England had relinquished to France all her claims to the lands west of the Mississippi river. At that period, the waste and unappropriated lands were regarded as Crown lands; and, during the war, the large States, and especially New York and Virginia, claimed nearly all of the Western and unappropriated lands, because they were alleged to be comprised within their original charter limits.

The colonies made common cause in the war of independence, and, from the very commencement of the revolutionary struggle, seeing its necessity as well as policy, were desirous of making a confederated Government. The anxiety of the large States to have their claims recognised to all of the Western domain at once awakened the small States to the true state of the question of right and justice in this enlarged pretension. The small States were all willing to make common cause against the common enemy, and regarded it but reasonable and just, and as politic as just, that what was rescued from the common enemy should be the common property of all.

Maryland, ever alive to this subject, took a leading and active interest in it. The experience of the past made her sagacious as to the future. She had found, that although her charter had been the most liberal and her limits better defined than those of the other colonies, still, by the adroit management of William Penn, she had lost much of her northern territory, whilst Virginia was urging claim to a portion of her southern territory, east of the Chesapeake bay, as well as to a large portion of her western and southwestern territory. This latter boundary is still in dispute, and ought yet to be referred to the Supreme Court of the United States for its final decision.

The large States, and especially Virginia, persisting in their pretensions, induced Maryland to urge the strongest arguments to their justice; nor was she willing to join the Confederacy until those arguments were listened to and their truth admitted.

In 1776 the convention which framed the constitution of Maryland, expressed its sentiments unequivocally on this subject, in the following resolution:

“*Resolved, unanimously,* That it is the opinion of this convention that the very extensive claim of the State of Virginia to the back lands hath no foundation in justice, and that if the same or any like claim is admitted, the freedom of the small States and the liberties of America may be thereby greatly endangered: this convention being firmly persuaded that, if the dominion over those lands should be established by the blood and treasure of the United States, such lands ought to be considered as a common stock, to be parcelled out at proper times into convenient, free, and independent Governments.”

As a matter of justice, the ground Maryland took was right, and calculated to promote it; and as a measure of political wisdom, it was sagacious. She foresaw that to give those large States all they desired would be worse than political folly—it would be political suicide; to confederate with them would be but placing herself between the upper and the nether millstone. At the adoption of the present constitution she stood equal in political power with New York. Each, under the constitution, were allowed *six representatives in Congress*. How have things changed! By the recent apportionment bill, Maryland has *eight* and New York *forty*; and, at the same ratio, in forty years Maryland will have about four and New York *sixty*—all consolidated and united. I hope, however, before that period arrives, as it will be for the interest of New York as well as of the other States, that she will divide into two States. Such is the contrast now. How would it have been had not Maryland urged the surrender of the Western lands claimed by New York and Virginia? The small States would long since have been overshadowed in political influence, and their impoverished soil been abandoned.

Although all the States had signed the articles of confederation in 1779 save Maryland, she still persisted in declining, and, in a most masterly and irresistible argument, instructed her delegates in Congress to refuse assent until the States should relinquish their unjust pretensions. In their instructions, the General Assembly of Maryland say to their delegates that—

“Having conferred upon you a trust of the highest nature, it is evident we place great confidence in your integrity, abilities, and zeal to promote the general welfare of the United States, and the particular interest of this State, where the latter is not incompatible with the former; but to add greater weight to your proceedings in Congress, and take away all suspicions that the opinions you there deliver and the votes you give may be the mere opinions of individuals, and not resulting from your knowledge of the sense and deliberate judgment of the State you represent, we think it our duty to instruct as followeth on the subject of the confederation; a subject in which, unfortunately, a supposed difference of interest has produced an almost equal division of sentiment among the several States comprising the Union. We say a supposed difference of interests; for, if local attachments and prejudices, and the avarice and ambition of individuals, would give way to the dictates of a sound policy, founded on the principles of justice, (and no other policy but what is founded on those immutable principles deserves to be called sound,) we flatter ourselves this apparent diversity of interests would soon vanish, and all the States would confederate on terms mutually advantageous to all; for they would then perceive that no other confederation than one so formed can be lasting. Although the pressure of immediate calamities, the dread of their continuance, from the appearance of disunion, and some other peculiar circumstances, may have induced some States to accede to the present confederation, contrary to their own interests and judgments, it requires no great share of foresight to predict that, when those causes cease to operate, the States which have thus acceded to the confederation will consider it as no longer binding, and will eagerly embrace the first occasion of asserting their just rights and securing their independence. Is it possible that those States who are ambitiously grasping at territories to which, in our judgment, they have not the least shadow

of exclusive right, will use with greater moderation the increase of wealth and power derived from those territories, when acquired, than what they have displayed in their endeavors to acquire them? We think not. We are convinced the same spirit which hath prompted them to insist on a claim so extravagant, so repugnant to every principle of justice, so incompatible with the general welfare of all the States, will urge them on to add oppression to injustice. If they should not be incited by a superiority of wealth and strength to oppress, by open force, their less wealthy and less powerful neighbors, yet depopulation, and, consequently, the impoverishment of those States, will necessarily follow, which, by an unfair construction of the confederation, may be stripped of a common interest and the common benefits desirable from the Western country. Suppose, for instance, Virginia indisputably possessed of the extensive and fertile country to which she has set up claim, what would be the probable consequence to Maryland of such an undisturbed and undisputed possession? They cannot escape the least discerning.

“Virginia, by selling on the most moderate terms a small proportion of the lands in question, would draw into her treasury vast sums of money; and, in proportion to the sums arising from such sales, would be enabled to lessen her taxes. Lands comparatively cheap, and taxes comparatively low, with the lands and taxes of an adjacent State, would quickly drain the State thus disadvantageously circumstanced of its most useful inhabitants; its wealth and its consequence in the scale of the confederated States would sink, of course. A claim so injurious to more than one half, if not to the whole of the United States, ought to be supported by the clearest evidence of the right; yet what evidence of that right has been produced? What arguments alleged in support either of the evidence or the right? None that we have heard of, deserving a serious refutation. We are convinced policy and justice require that a country unsettled at the commencement of this war, *claimed by the British Crown, and ceded to it by the treaty of Paris*, if wrested from the common enemy by the blood and treasure of the thirteen States, should be considered *as a common property*, subject to be parcelled out by Congress into free, convenient, and independent Governments, *in such manner*, and at such times, as the wisdom of that assembly shall hereafter direct.

“Thus convinced, we should betray the trust reposed in us by our constituents, were we to authorize you to ratify on their behalf the confederation, unless it be further explained. We have coolly and dispassionately considered the subject; we have weighed probable inconveniences and hardships against the sacrifice of just and essential rights; and do instruct you not to agree to the confederation unless an article or articles be added thereto in conformity with our declaration. Should we succeed in obtaining such article or articles, then you are hereby fully empowered to accede to the confederacy.”

Though Maryland refused to sign the confederacy, she never for a moment abated her zeal and energy in opposing the enemy, and in giving protection and aid to the adjoining States. Indeed, in the darkest hour of the Revolution, her zeal and patriotism stood pre-eminent. For, after General Washington had been defeated on Long Island, and compelled to evacuate New York and Philadelphia, and to retreat into New Jersey with the whole amount of his force, consisting of but three thousand men, a majority of that army were Marylanders; and Maryland, as if to give a higher and more indubitable earnest of her fidelity to the cause of independence, and of her confidence in the wisdom and patriotism of the commander-in-chief in this disastrous epoch of the war, elected at that very period, (1776,) for her first republican Governor, an individual who was at the very moment when he received his appointment, in General Washington's camp, at the head of seventeen hundred men whom he had marched from the western part of Maryland. And the individual who received this appointment to the chief executive station of Maryland, was the same who had, in the Congress of 1775, nominated General Washington to the command of the continental army.

If in error as to this latter fact, the distinguished member from



Massachusetts may be able, and if so, I beg him, to correct me. But I do not perceive him in his seat.

I stand not here to eulogize Maryland. The history of the Revolution sufficiently tells her praise; the tribute of approbation has been amply accorded to her, by poet, by orator, and by historian, but by none has her conduct been more eloquently spoken of than by the distinguished member from Massachusetts, [Mr. ADAMS,] when, in his splendid eulogy upon the life and character of Lafayette, he thrillingly alluded to the zeal and patriotism of the ladies and merchants of Baltimore, in this the darkest hours of the struggle for independence. What I have said has been merely to show that, whilst the enemy overran and desolated other States, Maryland not only defended her own territory, but liberally gave her treasure and sent her troops to protect the remotest portions of her sister States.

She refused to sign the articles of confederation, unless they should contain some provision for settling the question as to the Western domain. She resisted the claims of *particular* States, as an extravagant *pretence* of right, inconsistent with reason and repugnant to justice; she contended that what was rescued from the common enemy, by the common effort, ought, of right, to be a common property, to enure forever for the common benefit of all the States. The position which Maryland thus took was approved by several of the States, and most of them contended, on similar grounds, for a participation in the public lands.

On the 1st of February, 1779, Delaware signed the articles; but her act of accession was accompanied with the following resolutions:

“*Resolved*, That this State think it necessary, for the peace and safety of the State, to be included in the Union; that a moderate extent of limits should be assigned for such of those States as claim to the Mississippi or South sea; and that the United States in Congress assembled should and ought to have power of fixing their Western limits.

“*Resolved, also*, That this State consider themselves justly entitled to a right, in common with the members of the Union, to that extensive tract of country which lies to the westward of the frontier of the United States, the property of which was not vested in, or granted to, individuals at the commencement of the present war; that the same hath been or may be gained from the King of Great Britain, or the native Indians, by the blood and treasure of all, and ought therefore to be a common estate, to be granted out on terms beneficial to the United States.”

New York led the way to effect the compromise. In February, 1780, the Legislature of that State passed an act “to facilitate the completion of the articles of confederation and perpetual union among the United States of America.” This act declared that the territory which she ceded “should be and enure for the use and benefit of such of the United States as should become members of the federal alliance of *the said States, and for no other use or purpose whatsoever.*”

Maryland, having succeeded so far as to arouse other States to a sense of the importance of the question in relation to the Western domain, to prevent the injurious impression that irreconcilable dissension existed among the States, signed the articles of confederation on the 1st of March, 1781, protesting, however, at the same time, against any inference being drawn that she had, by so doing, relin-

quished her claim to a participation in the Western lands ; but assigned, as her reasons, that

“Whereas it has been said that the common enemy is encouraged, by this State not acceding to the confederation, to hope that the Union of the sister States may be dissolved, and therefore prosecute the war in expectation of an event so disgraceful to America ; and our friends and illustrious ally are impressed with an idea that the common cause would be promoted by our formally acceding to the confederation ; this General Assembly, conscious that this State hath from the commencement of the war strenuously exerted herself in the common cause, and fully satisfied that, if no formal confederation was to take place, it is the fixed determination of this State to continue her exertions to the uttermost, agreeably to the faith pledged in the Union ; from an earnest desire to conciliate the affection of the sister States, to convince the world of our unalterable resolution to support the independence of the United States, and the alliance with his Most Christian Majesty, and to destroy forever any apprehensions of our friends, or hopes of our enemies, of this State being again joined to Great Britain.”

Great Britain, by the treaty of peace in 1783, relinquished “to the UNITED STATES all claim to the Government property and *territorial* rights of the same, and every part thereof.”

To the relinquishment of what “*property and territorial rights*” did this treaty allude to, if it was not to the Crown lands, (for all the vacant unsold land was claimed as such,) if it was not those lands situated within the limits of the charters of Massachusetts, Connecticut, New York, Virginia, North Carolina, South Carolina, and Georgia ; the charters of all of which extended westwardly to the South sea or Pacific ocean ? New York had an indefinite claim to a part of the Northwestern Territory.

Then, under the treaty of peace with Great Britain, which met the entire concurrence of the thirteen States, Virginia included, the United States became entitled to the Western domain.

This right in some degree became qualified by the acquiescence of the General Government in the subsequent acts of cession of those States within whose limits the unappropriated lands were situated.

Georgia, in 1802, relinquished to the United States her Western lands, comprising now the entire States of Mississippi and Alabama, excepting the southern portions of the same, which, with East Florida, were purchased of Spain by the United States in 1819, for five millions of dollars. The articles of agreement and cession between the United States and Georgia explicitly declare “that all the lands ceded by this agreement to the United States shall, after satisfying the above-mentioned payment of one million two hundred and fifty thousand dollars to the State of Georgia, and the grants recognised by the preceding conditions, be considered as a *common fund*, for the *use and benefit of the United States, Georgia included*, and shall be *faithfully disposed of for that purpose, and for no other use or purpose whatever.*”

The cession on the part of Virginia, which may be considered as the most important, from the magnitude of the territory comprehended within the grant, after specifying certain conditions, requiring, among other things, the United States to *reimburse the expenses* which Virginia had incurred in defending the territory, explicitly states that the lands ceded “shall be considered as a *common fund*, for



the use and benefit of such of the United States as *have become, or shall become*, members of the confederation or federal alliance of the said States, Virginia inclusive, according to their usual respective proportions *in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever.*"

By the treaty of 1803 France ceded Louisiana to the United States, for which the United States agreed to pay that nation fifteen millions of dollars. Then, viewing the public lands as having been acquired by *conquest*, by *purchase*, or by *cession*, there is no avoiding the conclusion that they are the *common* property of the United States, *in which each State has an interest in proportion to its significance in the Union.*

The clear and specific language of the acts of cession dissipates every vapor and shadow of doubt on the subject, could any have existed, and clearly shows that Congress has no other power, if it is *true to its trust*, as an agent created by the States, with a specified and restricted power, than to dispose of those lands to create "a *common fund*," for the benefit of each of the States of the Union, "according to their usual respective proportions in the *general charge and expenditure*;" and that the public lands can only "be *faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever.*"

It must be apparent to all, that as a common property, designed in the articles of cession to be granted for the benefit of *all* of the States, and *not* for the partial benefit of a *part* of the States, that any mode of distribution or appropriation which is partial in its tendency operates an injustice to the rest, in direct violation both of the *language* and *intention* of the acts of cession. So far as they have been or may be appropriated for objects of national defence, so far as they have been sold and the proceeds paid into the Treasury, the Government has acted faithfully; but so far as they have been applied to *State* and not *national* purposes, so far as they have been granted to particular States, for specific purposes, when they might have been granted for the like purposes to all the States, the Government has acted in direct violation of the very language and spirit of the compacts.

The Government has acted, in its unmeasured liberality towards the Western States, with great injustice to the old States; an injustice which is doubly severe upon those old States whose limits are comparatively small, and whose means of revenue are not very great, in giving immense bounties of the public domain, for specific, and local, and State purposes.

The Government has given to the Western States one thirty-sixth part of the public lands, for the purposes of education in those States and Territories in which the lands are situated. And thus has been carved out of the general property of the whole nation, which Congress solemnly pledged itself to appropriate only for the benefit of *all*, this vast amount for the *local* and exclusive benefit of

a *part*. Have not the old States an equal—I might say, truly, a superior—claim to a like proportionate appropriation of the public property for the same purpose? Is not education equally as important in one region of the nation as it is in another? And is it not as expensive in the old as it is in the new States? Can this Government, I will ask, consider itself as acting in honest and just faith as long as it omits to make similar appropriations of the public lands to the old States, for purposes of education? The appropriations have been made for State, not national, purposes; they were of a character that might have been made to *all* the States. Is it in good faith to restrict them to a part only?

The number of acres which the Government has given to the new States east of the Mississippi amounts to 7,909,903. If the same policy be pursued with the territory west of the Mississippi, (as it ought to be, provided it be extended to the old States also,) the number of acres which will be appropriated in that region will be 6,666,666;\* making an aggregate of 14,576,569 acres, which, at two dollars per acre, will make the enormous amount of \$29,153,138, given *exclusively* to a particular section of the country, from the common property of the nation.

This calculation is placing the land at the low price of two dollars per acre, (much of it has sold for ten dollars, and, *intrinsically*, on an average, it is worth, I believe, more than five;) and Seybert has shown that, before the reduction of Government price, it averaged more than two dollars per acre; which will make, when the Western country shall have been settled, land worth, perhaps, seventy or eighty millions of dollars of the general property of the nation, which Congress will have given for local State benefits.

In addition to this vast amount of land which has been given to the Western States for purposes of education, they have received two and a half per cent. on the sales of the public lands, and large grants, for purposes of internal improvements. The amount of money which the General Government has expended in the purchase and management of the public lands, including interest thereon, is upwards of forty-nine millions of dollars. In 1831 it was \$48,077,551, including interest. This amount has been chiefly paid by the old States, and much of their wealth has been drawn from them, while the amount of money which had been paid into the Treasury from the sales of the public lands, up to 1831, is but \$37,272,713; therefore the national Treasury had not, at that time, been reimbursed, by including interest, by \$10,804,838. And yet this Congress is gravely asked—by whom? not the people, but by a few honorable members—to reduce the price of the Western lands!

Nor should Congress refuse to grant to the old States their fair distributive share of the public lands for the purpose of education;

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\* This is predicated upon the calculation that Louisiana contains, according to Mr. Seybert's estimate, 200,000,000 acres; but it contains 750,000,000, by Senator Clay's estimate, which would more than double the amount.

and, if they are true to themselves, they will insist upon the grant. Maryland contains 8,960,000 acres; at the ratio of one thirty-sixth part, she would be entitled to 298,665 acres; which, at two dollars per acre, would amount to the sum of \$597,330, as a perpetual fund for common schools and academies. United with her present school fund, this amount would enable her to diffuse more generally the benefits of education throughout the entire State. By the adoption of such a policy, the like benefits would result to every State in the Union. Pennsylvania would be entitled to 995,732 acres, and all the rest of the old States to an amount proportionate to their limits. But I shall allude to this subject more particularly in another part of my remarks. In 1821 the Legislature of Maryland passed the following resolutions:

*“Resolved by the General Assembly of Maryland, That each of the United States has an equal right to participate in the benefit of the public lands, the common property of the Union.*

*“Resolved, That the States in whose favor Congress have not made appropriations of land for the purposes of education are entitled to such appropriations as will correspond, in a just proportion, with those heretofore made in favor of the other States.”*

Another resolution was passed, inviting the attention of the Legislatures of the several States to the subject, and also their Representatives in Congress.

These resolutions were accompanied by a report from Mr. Maxcy to the Senate of Maryland, which, for clear, irresistible reasoning, and enlightened policy, is second to no report that has ever been made on the subject. If the report of Mr. Clay (I mean the American statesman) on the subject of the Western lands should be decided as more able, it would be for the reason that Plato decided that one of Demosthenes's orations was better than the rest, “because it was *the longest*.” The most of the States gave favorable responses to the resolutions of Maryland, and the subject was brought before Congress. Congress delayed action, upon the ground that granting lands to the old States might, in some degree, retard the payment of the national debt, and derange, in some degree, the sinking fund system; but I will, before I conclude, allude more particularly to the propositions and reports made in relation to the public lands as a fund for education. That debt has been paid off; the nation is free from debt; so that argument cannot be now used. And Congress should now pay a debt of gratitude—no, sir, not a debt of gratitude, but a debt of justice—to the old States. Justice is all that they ask, and it is what they have a right to require.

I have dwelt much longer upon this branch of the subject than I had intended; and, before I proceed to that part of the report of the committee which relates to the reduction of the price of the public lands, I will make a remark or two upon that part of the report which alludes to the relative power of the Government and the new States, in the exercise of the right of eminent domain.

The report states “that the committee do not propose a discussion of the question whether, in the language of some of the acts of cession referred to, the new States have been admitted into the



Union with 'the same rights of *sovereignty*, freedom, and independence, as the other States;' nor whether there is strict propriety in the declaration, to be found in all the acts and resolutions of Congress for the admission of new States, that they are 'admitted into the Union *on an equal footing with the original States, in all respects whatever.*' It is not now, (the committee state,) and we hope it *never may be, necessary to inquire how far the want of eminent domain, the power to dispose of or tax soil within her limits, is compatible with the 'sovereignty' of a State*; nor to show that the original States, from the time of their independence, and at the date of the several compacts, had that right."

Then, to come back to the immediate consideration of the report: The committee hold that the right of eminent domain, the right to *dispose of and to tax soil* are essential attributes of *State sovereignty*. These attributes may exist in a sovereign State; but to make these powers attach to and be possessed by the new States presupposes the fact, that when a State is admitted into the Union, with equal political and municipal powers, that it becomes, by that admission, a sovereign State. It might be saying too much, Mr. Speaker though I think not, to assert that there is not absolute sovereignty in either the General Government or in a State Government.

This feature and argument of the report are peculiar. It half asserts, half yields, the right of a State to tax and dispose of the national property within its limits, and dwells upon the word "*sovereignty*" with much stress. The ground is not boldly taken in the report, that the power of the Western States over the unappropriated lands is paramount to the authority of the General Government, but an inference is clear in every mind that an attempt is made to inculcate such a doctrine. I know that the bold position was asserted, a few years ago, by the Chief Magistrate of Illinois, (Governor Edwards.) The same views are also urged in one or two other reports which have been made to this House; and I have before me resolutions and an address from a public meeting held in Indiana, unequivocally asserting it.

Before distinguished members on this floor commit themselves in favor of such doctrines, I would warn them to look at the past. Before they use their powerful names in urging their States to take such rash grounds, I would admonish them to reflect upon the results of all the controversies which have existed between State decisions, both legislative and judicial, and those of the National Legislature and Judiciary; to examine well the constitution, and the powers delegated to Congress and the Supreme Court under that instrument.

The term "*State sovereignty*" is used in almost every document and public address, as if it were conceded on all sides that each of the States of this Union really possessed unqualified, absolute, national authority and privileges. If I were to attempt to explain the *philosophy of the error* (if the terms are admissible) which con-

trols the course of so many gentlemen, in both State and national councils, in their interpretation of the constitution, the powers of the General Government and the States, I would trace it to their superficial examination of the subject, to their adopting the opinions of prominent men as their guides, without examining the *date* of their opinions, and the *attendant circumstances which may have elicited them*. Such opinions are often found to be contradictory in themselves, yet easily reconcileable with the times and incidents which may have given rise to them. Another cause of error is the omission, on the part of too many public men of the present day, to draw a distinction between the limited powers given to the old Confederacy and the great mass of powers reserved at that time by the States—the increased powers given by the present constitution to the General Government, and the more limited powers reserved under that instrument by the States. They too frequently use the arguments of distinguished gentlemen who were opposed to the *adoption* of the constitution, as the true rule of interpretation *after* its adoption. They use the arguments of those who were in favor of the old Confederacy, as proof that the States should have all the powers possessed under it, and that the General Government should be as impotent as the old Confederacy; not sufficiently reflecting that, though opposed by great names, the Constitution was adopted, and became potential, with all the numerous and very great powers ingrafted upon it, and became supreme within the scope of the powers delegated. Such gentlemen do injustice to themselves, as well as injury to the fame of those great names whom they quote.

I greatly respect the influence of authority, but I venerate in a higher degree the weight of argument and reason. That individual who takes as his political creed the acts, sayings, and writings, of any one leading politician, from youth to the grave, through every vicissitude of Government and modification of policy, may spare himself much reading and reflection; but I much question if he will ever be able to render himself either eminent or useful. Such men are like the mildewed and sickly plants that vegetate beneath the shades of the ample oak, bearing neither character nor name. They may creep around its rough trunk, and crawl to some weak and decayed bough, may be occasionally cheered by some faint sunbeam, but they give no strength, and only obstruct the healthful air from the noble tree.

I like to see every public or private man in this nation standing erect, like the native forest tree, and proudly supporting himself. It is such men who are really the pillars of state.

Mr. Jefferson was opposed to that feature in the constitution, before its adoption, which rendered the President eligible for re-election; yet, after the instrument was adopted, did Mr. Jefferson refuse to serve a second term in the presidency? All know that he did not.

In the last powerful speech which Patrick Henry made in the Virginia convention, against the adoption of the constitution, he said, if the constitution were adopted, “My head, my hand, and my

heart, shall be free to *retrieve the loss of liberty*, and remove the defects of that system in a constitutional way. I wish not to go to violence, but will wait with hope that the spirit which predominated in the Revolution is not yet gone, nor the cause of those who are attached to the Revolution yet lost; I shall, therefore, patiently wait, in expectation of seeing *that Government changed*, so as to be compatible with the safety, liberty, and happiness, of the people."

What did Patrick Henry say *after* the constitution was adopted? When his own beloved Virginia was arraying herself against the laws of Congress, Patrick Henry, at the age of sixty-three, quit his repose and his retirement, to become a candidate for a seat in the State Legislature, in order to oppose the course of his State. In his address to the people he said: "If ever you recur to another change, you may bid adieu forever to representative Government. *You can never exchange the present Government but for a monarchy.*"

Luther Martin made an address to the Legislature of Maryland, stating with unparalleled power and ability why he had in convention opposed the adoption of the constitution, which, in my humble judgment, is much the ablest paper ever written against the adoption of the constitution; but he did not hesitate, as all well know who have read his many masterly arguments, to give all of the provisions in that instrument, after its adoption, a rational and effective construction.

Under the old Confederacy Congress was not authorized to adopt an efficient system of revenue; it could levy quotas on the States, but could not enforce their observance. It was fettered as to commerce; and, in the language of Chief Justice Jay, "prior to the date of the constitution, the people had not any national tribunal to which they could resort for justice; the distribution of justice was then confined to State judicatories, in whose institution and organization the people of the other States had no participation, and over whom they had not the least control. There was then no general court of appellate jurisdiction, by which the errors of State courts, affecting either the nation at large or the citizens of any other State, could be revised and corrected. Each State was obliged to acquiesce in the measure of justice which another State might yield to her or to her citizens; and that, even in cases where State considerations were not always favorable to the most exact measure. There was danger that from this source animosities would in time result; and, as the transition from animosities to hostilities was frequent in the history of independent States, a common tribunal for the termination of controversies became desirable, from motives both of justice and of policy.

"Prior also to that period the *United States* had, by taking a place among the nations of the earth, become amenable to the laws of nations; and it was their interest, as well as their duty, to provide that those laws should be respected and obeyed. In their national character and capacity the United States were responsible to foreign nations for the conduct of each State, relative to the laws of



nations and the performance of treaties; and there the inexpediency of referring all such questions to State courts, and particularly to the courts of delinquent States, became apparent. While *all* the States were bound to protect *each*, and the citizens of *each*, it was highly proper and reasonable that they should be in a capacity not only to cause justice to be done to each, and the citizens of each, but also to cause justice to be done by each, and the citizens of each; and that not by violence and force, but in a stable, sedate, and regular course of judicial procedure."

In more than one hundred instances have the courts of the Union decided upon the acts and claims of the various States; and of that number fifteen were of Maryland—more than from any other State in the Union; and, of all of the old States, Delaware, which was the first to adopt the constitution, is, I believe, the only exception; and in every case the decision of the national courts has been sustained.

Massachusetts pronounced the embargo unconstitutional; Pennsylvania opposed the excise law; Connecticut denied that her militia should be commanded in time of war by officers appointed by the national Executive; Maryland and Ohio sought to tax the branches of the United States Bank; Kentucky set up her land laws: yet each and all were quieted by the decision of the national tribunals. Pennsylvania had her forces in the field, yet the national laws and authorities prevailed. More recently one of the Southern States arrayed herself against the laws of Congress. I allude to these historical facts in no spirit of unkindness, but as historical facts that teach a salutary warning. Nor do I wish to range over so expansive a debate as arose on Foot's famous land resolutions in the Senate, where the whole doctrine of State interposition and State sovereignty was discussed for months, with an ability never surpassed by any deliberative assembly. But, as an American, I cannot regret that that discussion was had; I do not regret it, because it elevated the American name without destroying the American Union, and opened a new and brilliant leaf in the volume of American genius.

It was a conflict, in my apprehension, more sublime than the warring of contending elements. It was a conflict of mind, where mind met and subdued mind. The occurrence to which I allude formed a new epoch in the history of this nation, and presented a spectacle of the highest sublimity. I do not use the word "sublimity" in the august sense of bookmen: of old ocean, when the elements fret its vast bosom into fearful terror; of the grand prairie on fire, which forces the heavens to reflect its lurid light, and fills the mind with an idea of immensity of flame; of the pale and blue mountain crag, which lifts its aspiring head to the heavens, as if to defy the terror of the lightning and the thunders; nor of the wild and dashing cataract, which precipitates itself from the fearful height above, to the abyss below, dashing its angry waters into foam, and hanging its spray and its rainbow in the heavens, as a trophy of its awful power and sublimity. I have seen all this; but there is a sublime spectacle which has struck me with more peculiar force, and one which reminds me more of

the influence and power of Daniel Webster's great speech on that memorable occasion. It is the confluence of the Missouri and the Mississippi, or the silent meeting of the Ohio with the Mississippi. There is no awful terror there which astonishes reflection, no dreadful noise that subdues the senses; but you see the meeting of mighty waters; you see a vast river swallowing up, without commotion, vast rivers; you see that great mother of waters flowing on in sullen and silent grandeur, as if it received no aid, as if it were unconscious that there were other streams. You are not amazed at its breadth, nor its depth, but you are awed at its quiet, sublime silence and power. Your mind is not alarmed or astonished, but forced to reflect. It is thrown into a new and endless world of meditation. You behold a stream which has flown on from the beginning of the world, and will roll on through all time, which defies the control of all human power, and is the same, unchanged and unchangeable. Such was the moral power of the speech to which I allude—its calm and unostentatious power, its moral sublimity, which bore down all resistance, and forced its influence through all the channels of human thought. The doctrine of State supremacy had spread from town to county, from county to county, and from State to State. It rolled on like mighty waters, overleaping their banks, from South to North, as each aspiring wave strove to overleap its predecessor in the anxious progress. It was then that the reproach of being a North-man was thrown upon Daniel Webster; he was accused—no matter how wrongfully—he was still accused with having been an accessory of the Hartford convention, which was charged with having had the design of a dissolution of the Union; in the same breath he was called a consolidationist and a federalist, and an opposer of the war. Under such a cloud of prejudice he rose in his Senate place, and by a mighty effort of mind, such as history furnishes but one parallel to, in its influence upon a nation, and that the master effort of the great Cicero, he dashed back the angry waters to their fountains, to flow on in future in their usual and well-defined courses. It was a victory more glorious than any won on the battlefield—a victory without carnage. It was the triumph of intellect controlling intellect, and staying physical hostilities by the moral force of reason and the sublime eloquence of wisdom.

The hero chief of the presidency, who had added lustre to the arms of his country, and covered his brow with perennial laurels amid the savannas and morasses of the South; who had defeated, on the plains of New Orleans, Wellington's gallant soldiers of the Peninsula, iron-willed as he was, was subdued by that speech, and became ultra, as all sudden converts do. He sent after that speech his proclamation abroad, more ultra national than Webster's speech, and never thought more of publishing General Haynes's able speech in letters of gold.

In the days of Cicero there were one hundred and fifty of the speeches of Cato, the censor, extant; and although he flourished less than a century before the former, yet Cicero asks, in his dialogue, "what living or lately deceased orator has read them?" I might



ask, though it would not be in place, how many of the orators who figure in the present age will find a reader in the next—who will search out and read their evanescent productions on constitutional construction and policy of government. By the bill of the eminent statesman of the West, a salutary compromise united the whole South in its support, and quieted, it could be hoped, all collisions between State and national jurisdiction.

Daniel Webster's speech and Henry Clay's compromise bill should gain each the gratitude of individuals most immediately interested in that contest and of the nation. What has been the effect upon individuals is not my province to inquire. It is true that Rochefoucault has a maxim, that "whenever you do an individual a service beyond his power to repay you, he is sure to become your enemy, in order to cancel the obligation." I will let others judge of its truth, if it is true, and make its application, if it has any. But I fear I have digressed somewhat from the subject, and will return to its examination.

The Federal Government has less power than the Houses of Parliament in England. The latter are governed by no fixed, written constitution. The common law of usage regulates, in some degree, the sphere of their actions; and the vagueness of their power, undefined and uncontrollable, (for the veto has become obsolete,) is asserted, nor will either House define the limits of its power.

The General Government of the United States, on the other hand, has been shorn of, or rather not allowed, absolute and unlimited power. The constitution is the rule of action—giving to the General Government strictly defined and limited powers, and general discretionary powers, on specific subjects, to be exercised or not, in the wisdom of the law-making power. There are, moreover, inhibitory powers mentioned in the constitution, which the Government may not exercise; yet uncontrolled sovereignty would not be absolute without the power to exercise them. "No bill of attainder or *ex post facto* law shall be passed."—Sec. ix. The General Government has not absolute sovereign power granted it under the constitution; but that instrument, on the contrary, has circumscribed and limited its power, beyond which it cannot operate. In the language of Chief Justice Marshall, "The General Government, though *limited* as to its objects, is supreme with respect to *those objects*."

The States have reserved to them, in the constitution, all the powers which they have not expressly granted and delegated to the General Government; consequently, whenever a law may be enacted by a State Legislature, which is in derogation of the constitution, or which may conflict with that instrument, the Supreme Court is the arbitrator, and the law is declared void; for the constitution of the United States is the supreme law of the land.

Chief Justice Marshall has said, in the case of *McCulloch vs. the State of Maryland*:

"If the controlling power of the States be established, if their supremacy as to taxation be acknowledged, what is to restrain their exercising this control in any shape they may please to give it? Their sovereignty is not confined to taxation. That is not the only mode in which it might be displayed. The question is, in truth, a question of supremacy; and, if the right of the States to tax the means employed by the General Government be conceded, the declaration that the constitution and the laws made in pursuance thereof shall be the supreme law of the land is empty and unmeaning declamation."

A sovereign State can have a standing army—may lay imposts, duties, and may levy war against a foreign State or Government; and no State is sovereign that cannot exercise these essential attributes of sovereignty: yet all the States are expressly inhibited from doing so by the constitution. They have yielded up those powers to the General Government. Then, a State, to be sovereign, must first destroy the constitution, and rebel successfully against it. The right of revolution is not a constitutional right, but is an instinctive, natural right, overruling all written law. Whilst all admit that doctrine against intolerable oppression, as a *dernier resort*, none are willing, because none think it necessary, to resort to it. Instead of the sword to settle domestic differences, the American people appeal to and use successfully the moral artillery of reason.

"*Sovereignty*," like the word "*soul*," is used in the Virginia and other acts of cession in a *relative, comparative, conventional sense*. With other restricted rights of "*sovereignty*" of the States is that to "dispose of or tax the soil" of the United States within the limits of the Western States. There are no derelict lands in the Western States. What is not owned by the States, or has not been purchased from the United States by individuals, or given away by the United States for specific purposes, is owned by the United States, for which the General Government has given a valuable consideration. Are the forts in the old States which are owned by the Government taxed for State purposes? They are not. Are they more the property of the Government than the lands for which the Government has paid a greater amount of money?

The distinction should be borne in mind, for it is obvious, between the right of *jurisdiction* and the right of *soil*. The municipal influence of a State pervades its entire limits. The right to seize upon and appropriate the soil or property of the General Government cannot be exercised by any State in the Union. Then, if the Western States desire the land of the United States within their limits, and are unwilling to effect their wishes by violating the law and the principle of the decalogue, they must possess it by *purchase*; and I will not deny their right to purchase, as individuals do, the public lands, and on the same conditions. That condition of the act of Congress which exempts the land from taxation for five years after it has been sold is looked upon as injurious to the interest of the Western States. That condition was annexed upon the ground that it would benefit the Western States, by holding out inducements for the industrious and enterprising to immigrate and settle the public lands. Nor do I doubt that it has had that effect, in a very great degree. But if any honorable trans-Alleghany

member thinks otherwise, and should desire to have that condition removed, as one of the Representatives from an old State, I am free to avow my entire willingness to vote for a bill to effect that object.

The same year that Virginia passed the act of cession, Congress passed a resolution which, among other conditions, after regulating the manner in which the Northwestern Territories should be admitted into the Union as States, has this condition clearly set forth that :

“Provided that both the temporary and permanent Government be established (in the State admitted) on these principles as their basis :

1. That they shall forever remain a part of this confederacy of the United States.
2. That they shall be subject to the articles of confederation in all those cases in which the original States shall be so subject, and to all the acts and ordinances of the United States in Congress assembled, conformably thereto.
3. That they shall in *no case interfere with the primary disposal of the soil* by the United States in Congress assembled, nor with the ordinances and regulations which Congress may find necessary for securing the title in such soil to the bona fide purchasers.
4. That they shall be subject to pay a part of the federal debts contracted, or to be contracted, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States.
5. That *no tax* shall be imposed on lands, the property of the United States.
6. That their respective Governments shall be republican.
7. That the lands of non-resident proprietors shall in no case be taxed higher than those of residents within any new State, before the admission thereof to a vote by its delegates in Congress.”

The necessity for reducing the price of the public lands can only be made manifest by showing that the price, as established at present, is higher than the real value of the lands, and for that reason the sales are comparatively limited, and the settlement of them greatly retarded. Has any such proof been offered? None that I have read or heard. But, on the contrary, the history of the settlement of the Western lands illustrates the unparalleled liberality of the General Government to that region of country ; and the rapid advance of the new States to wealth, their rapid increase of population, and unprecedented prosperity, are proofs unanswerable that the Western States have not the shadow of a cause to reproach the Government for want of liberality.

To the clear understanding of this subject, it is proper to recur to the past, and examine the present prices of the Western lands, with the relative effects which those prices have had upon the old and the new States.

At the close of the revolutionary war the General Government commenced the present land system, and established two dollars as the price which should be given per acre for all the public land which was not disposed of at public sales, and allowed a liberal time for the purchaser to make payment.

In 1820 the Government thought it advisable to abolish the credit system, and to require that the purchase-money should be paid in hand at the time of making the purchase ; in consideration of which the price was reduced to \$1 25 per acre, and the sections were divided into smaller allotments ; so that, with fifty dollars, a purchaser might be enabled to procure forty acres of good land in perpetuity, with a title never to be questioned.



What, let me ask, has been the operation of this policy? Has it been the aggrandizement of the old States, and the tardy settlement of the new States? No voice will utter such a belief; for the very reverse is the fact.

Has the amount of sales augmented or diminished?

By the report of the Commissioner of the General Land Office, sent to this House by the Secretary of the Treasury, January 30, 1838, tables B and A give the amount sold each year.

## B.

*Exhibit of the quantity of land entered under the credit system prior to the 1st of July, 1820, (which includes the lands subsequently relinquished and reverted to the United States under the various laws passed for the relief of the purchasers of public land,) and the amount contracted to be paid by the purchasers thereof.*

| Year.             | Acres sold.   | Amount contracted to be paid by purchasers. |
|-------------------|---------------|---|
| 1787 -            | 72,974.00     | \$117,108 24                                |
| 1792 -            | 1,165,440.00  | 832,549 66                                  |
| 1796 -            | 43,446.61     | 100,427 53                                  |
| 1801 -            | 398,646.45    | 834,887 11                                  |
| 1802 -            | 340,009.77    | 680,019 54                                  |
| 1803 -            | 181,068.43    | 328,161 28                                  |
| 1804 -            | 373,611.54    | 772,851 95                                  |
| 1805 -            | 619,266.13    | 1,235,953 22                                |
| 1806 -            | 473,211.63    | 1,001,358 02                                |
| 1807 -            | 359,011.79    | 738,273 29                                  |
| 1808 -            | 213,472.12    | 459,230 34                                  |
| 1809 -            | 231,044.98    | 550,655 03                                  |
| 1810 -            | 235,879.41    | 502,382 13                                  |
| 1811 -            | 288,930.31    | 614,324 53                                  |
| 1812 -            | 536,537.40    | 1,149,536 46                                |
| 1813 -            | 270,241.43    | 621,199 44                                  |
| 1814 -            | 864,536.53    | 1,784,560 95                                |
| 1815 -            | 1,120,233.64  | 2,340,188 91                                |
| 1816 -            | 1,622,830.06  | 3,567,273 88                                |
| 1817 -            | 2,159,372.43  | 5,022,409 84                                |
| 1818 -            | 2,401,844.60  | 7,209,997 42                                |
| 1819 -            | 5,475,648.17  | 17,681,794 37                               |
| 30th June, 1820 - | 518,500.80    | 1,465,283 94                                |
|                   | 19,965,758.23 | \$49,680,427 13                             |

The above shows the quantity of land entered, and the purchase-money thereof, from the earliest period, annually, to the 30th of June, 1820, without regard to their subsequent *reversion* to the United States, or their subsequent *relinquishment* to the United States under the several *relief laws*. The *nett quantity* of land *actually sold* or retained by the purchasers under the credit system is 13,648,645.43 acres; and the nett amount paid is \$27,905,099 76; which amounts are put down in table A as the "quantity of land sold," and the "amount paid by purchasers," from the earliest period to the 30th June, 1820.

The lands sold from 1787 to 1796, inclusive, are the lands sold prior to the opening of the land office, to John Cleves Symmes, the Ohio Company, and to individuals, at public sales held in New York and Pittsburg.

## A.

*Exhibit of the quantity of public land sold, the amount paid by the purchasers thereof, and the payments made into the Treasury on account of the sales of public land, from the earliest period of the sales to the 30th September, 1837.*

| Year.  | Quantity of land sold—acres. | Amount paid by purchasers. | Amount paid into the Treasury. |
|--|------------------------------|----------------------------|--------------------------------|
| In 1796, 1797, 1798, 1800                          | - -                          | - -                        | \$100,783 59                   |
| 1801   | - -                          | - -                        | 168,125 01                     |
| 1802   | - -                          | - -                        | 188,628 02                     |
| 1803   | - -                          | - -                        | 165,975 69                     |
| 1804   | - -                          | - -                        | 487,526 79                     |
| 1805   | - -                          | - -                        | 540,193 80                     |
| 1806   | - -                          | - -                        | 765,245 73                     |
| 1807   | - -                          | - -                        | 466,163 27                     |
| 1808   | - -                          | - -                        | 647,939 06                     |
| 1809   | - -                          | - -                        | 442,252 33                     |
| 1810   | - -                          | - -                        | 696,548 82                     |
| 1811   | - -                          | - -                        | 1,040,237 53                   |
| 1812   | - -                          | - -                        | 710,427 78                     |
| 1813   | - -                          | - -                        | 835,655 14                     |
| 1814   | - -                          | - -                        | 1,135,971 09                   |
| 1815   | - -                          | - -                        | 1,287,959 28                   |
| 1816   | - -                          | - -                        | 1,717,985 03                   |
| 1817   | - -                          | - -                        | 1,991,226 06                   |
| 1818   | - -                          | - -                        | 2,606,564 77                   |
| 1819   | - -                          | - -                        | 3,274,422 78                   |
| To 30th June, 1820                                 | 13,648,645.43                | \$27,905,099 76            | 2 5 †1,635,871 61              |
| From 1st July, 1820                                | 303,404.09                   | 424,962 26                 |                                |
| 1821   | 781,213.32                   | 1,169,224 98               | 1,212,966 46                   |
| 1822   | 801,226.18                   | 1,023,267 83               | 1,803,581 54                   |
| 1823   | 653,319.52                   | 850,136 26                 | 916,525 10                     |
| 1824   | 749,323.04                   | 953,799 03                 | 984,418 15                     |
| 1825   | 893,461.69                   | 1,205,068 37               | 1,216,090 56                   |
| 1826   | 848,082.26                   | 1,128,617 27               | 1,393,785 09                   |
| 1827   | 926,727.76                   | 1,318,105 36               | 1,495,845 26                   |
| 1828   | 965,600.36                   | 1,221,357 99               | 2,018,308 75                   |
| 1829   | 1,244,860.01                 | 1,572,863 54               | 1,517,175 13                   |
| 1830   | 1,929,733.79                 | 2,433,432 94               | 2,329,356 14                   |
| 1831   | 2,777,856.88                 | 3,557,023 76               | 3,210,815 48                   |
| 1832   | 2,462,342.16                 | 3,115,376 09               | 2,623,381 03                   |
| 1833   | 3,856,297.56                 | 4,972,284 84               | 3,967,681 55                   |
| 1834   | 4,658,218.71                 | 6,099,981 04               | 4,857,600 69                   |
| 1835   | 12,564,473.85                | 15,999,804 11              | 14,757,510 75                  |
| 1836   | 20,074,870.92                | 25,167,833 06              | 24,641,979 86                  |
| To 30th September, 1837                            | 4,885,462.97                 | 6,127,418 39               | 5,644,021 09                   |
|  | 75,025,055.50                | \$106,245,656 88           | \$94,496,543 81                |
| Received by the Treasurer of the U. States in 1836 | - -                          | - -                        | 235,200 00                     |
| Ditto, in 1837                                     | - -                          | - -                        | 6,200 00                       |
| Total,   | - -                          | - -                        | \$94,737,943 81                |

\* End of credit system.—(See table B.)

† This amount is the aggregate of payments into the Treasury for the year 1820, under the cash and credit system. Such aggregate is also exhibited for the subsequent years.

These facts rebuke into silence every idea that the policy of the Government is illiberal, or that the price of the public land is too high; it cannot be, when the demand for land in the West so rapidly augments.

What are the facts in relation to the settlement of those lands?

Forty-seven years ago the entire population west of the Alleghany mountains hardly amounted to 100,000 souls. That region of country is now the home of nearly 4,000,000 of people; whilst the old States have increased within that period at a rate of about 15 per cent. every ten years, the new States have augmented in population at the rate of 33 per cent. in the same period. The new States have increased with more than double the rapidity of the old States, and some of them at more than quadruple the rate of many of the old States.

*Increase of the population of the United States for ten years.*

| States.                        | Per cent.<br>increase. | Square miles. | Population in<br>1830. |
|--------------------------------|------------------------|---------------|------------------------|
| Maine - - - - -                | 33.9                   | 32,628        | 399,437                |
| New Hampshire - - - - -        | 10.4                   | 9,491         | 296,328                |
| Vermont - - - - -              | 19.0                   | 10,212        | 280,657                |
| Massachusetts - - - - -        | 16.6                   | 7,500         | 610,408                |
| Rhode Island - - - - -         | 17.0                   | 1,340         | 97,199                 |
| Connecticut - - - - -          | 8.2                    | 4,764         | 297,675                |
| New York - - - - -             | 39.4                   | 46,085        | 1,918,608              |
| New Jersey - - - - -           | 15.6                   | 8,320         | 320,823                |
| Pennsylvania - - - - -         | 28.4                   | 44,000        | 1,348,233              |
| Delaware - - - - -             | 5.5                    | 2,120         | 76,748                 |
| Maryland - - - - -             | 9.7                    | 13,950        | 447,040                |
| Virginia - - - - -             | 13.7                   | 64,000        | 1,211,405              |
| North Carolina - - - - -       | 15.6                   | 48,000        | 737,987                |
| South Carolina - - - - -       | 15.7                   | 28,000        | 581,185                |
| Georgia - - - - -              | 51.5                   | 62,000        | 516,823                |
| Alabama - - - - -              | 141.6                  | 46,000        | 309,527                |
| Mississippi - - - - -          | 80.1                   | 45,760        | 136,621                |
| Louisiana - - - - -            | 40.7                   | 48,220        | 215,739                |
| Tennessee - - - - -            | 62.7                   | 40,000        | 681,903                |
| Kentucky - - - - -             | 22.1                   | 42,000        | 687,917                |
| Ohio - - - - -                 | 61.2                   | 39,128        | 935,884                |
| Indiana - - - - -              | 132.1                  | 37,000        | 343,031                |
| Illinois - - - - -             | 185.4                  | 52,000        | 157,445                |
| Missouri - - - - -             | 110.4                  | 63,000        | 140,455                |
| Michigan - - - - -             | 250.1                  | 40,000        | 31,639                 |
| Arkansas - - - - -             | 113.3                  | -             | 30,388                 |
| Florida - - - - -              | -                      | 45,000        | 34,730                 |
| District of Columbia - - - - - | 20.1                   | 100           | 39,834                 |

Has it been the mere result of accident that the old States, with their superior situations for agriculture, commerce, and manufactures, which, more than any thing else, will throw a dense population in the cities contiguous to or connected with the ocean, should

be so far outstripped in their advance to wealth and population by the new States? Or has it not been an effect growing out of and consequent upon the policy of the Government, in disposing of, at so low a price, the public lands of the United States, and thereby inviting, by the strongest inducements, the population of the old States to emigrate from them and to settle on the cheap and fertile lands in the valley of the Mississippi?

The ravages of the revolutionary struggle impaired the agricultural interest of the old States, and the consequences growing out of it exhausted the fertility of the soil in a very great degree.

To support the armies of the Revolution, and to pay the heavy quotas and taxes which were levied upon them, compelled the farmers, those few who were not under arms, to adopt that mode of cultivation which was cheapest and least laborious, but the most ruinous to the soil. They were compelled to pitch crop after crop, in rapid succession, in the same fields, to supply the urgent wants of the army, and to enable them to pay the enormous taxes assessed upon them. The consequence was, that all the fresh lands became impoverished, the virgin soil exhausted, and the land almost worthless for culture.

The farmers had no time to rest their lands from repeated exhaustion, or to supply, by extraneous means of compost and the minerals, the vegetable crops which they annually took from them. Peace, which brought independence to our nation and repose to our army, brought neither repose nor rest to the fields of the farmer. A national debt of some two hundred millions, and State debts of most onerous amounts, were to be paid, and paid chiefly by the agricultural industry of the country. This compelled the farmers to persist in that ruinous mode of cultivation which, to supply pressing and urgent demands, was impoverishing the whole face of the country. Then were opened to market, by the General Government, the rich and extensive lands of the Mississippi valley, and at the low price of \$2 per acre. Its consequences were felt by all the old States, and more especially by Maryland and those States whose situations were marked with the like peculiarities. Maryland had furnished her most abundant share in men and money to defend the Western lands, as well as the general liberty of the colonies. The treaty of peace had surrendered those lands to the United States, as a common property; yet Congress accepted the acts of cession of Virginia and Georgia, paid the troops of the former as a condition of cession, and paid the latter several millions of money. Thus have many of the old States first fought for those lands, and then purchased them of the States and of foreign Governments; yet some of the old States have not only to pay all the State debts incurred out of their own State coffers, but to pay the troops that defended these very Western lands. Maryland is called on every year to pay revolutionary claims; and all this comes chiefly from the agricultural interest of the State; the consequence of which is, that the lands of that State are taxed most heavily; indeed, the land taxes in Maryland are



higher than in any State in the Union. Then, what recompense do those devoted States receive for paying those vast amounts, in having their soil impoverished and their lands highly taxed? Does the Government adopt a policy which will improve the value of lands in the old States, or which will justify the farmer in incurring the onerous expense of enriching his greatly exhausted lands? No, sir; such has not been the policy of the Government. It has been the policy of the General Government to offer inducements to the people of the old States to abandon their farms and to let them lie waste; to tell the emigrant that liberty is won by the men and money of the old States, and that he can now reap its benefit, whilst they have paid the cost. It has been to tell the stranger that we will give you benefits which shall not be enjoyed by any patriotic citizen of the old States, unless he leave the home of his childhood and the State of his nativity.

The citizens of the old States have found it to their advantage to dispose of their lands at any price, rather than incur the labor and expense of enriching them, when, with an amount sufficient to enrich ten acres of land long in cultivation, they could purchase perhaps fifty acres of the rich lands in the West, and lands exempt from the burden of taxation for five years. Yes, one increasing tide of emigration is setting to the West, leaving the old States, where taxes are high, and soil less productive and less cheap; going to the West, where land is rich, taxes low, and the munificence of the General Government carrying education to every village and to every cottage. The sagacity of self-interest has induced the rich and the poor, the industrious and enterprising, to migrate to that country, where homes can be procured for a consideration so small that it requires little more than the will to possess them, to be owned and occupied, and but moderate industry to make them yield most abundantly. The reduced price of the fertile lands of the West has had a tendency of reducing the price of landed estates in the old States. Many portions of Virginia and Maryland are not as populous now as they were thirty years ago. Yes, sir, the picture drawn in the late Virginia convention, by a distinguished member of this House, [General MERCER,] was not a mere fancy sketch of the present impoverished and desolate condition of the lower counties of his native State, when compared with their former wealth and population. Those fields, where once waved the golden harvest, are now a barren waste; those mansions, which were once the abode of chivalry, refinement, and generous hospitality, are now "as desolate as the dwelling of Moïna;" and the wild beasts have returned from the mountains to find a shelter amid the thickets of their ancient hiding-places. Should any member on this floor doubt these things, one hour's ride from this city, into either Maryland or Virginia, will give him proofs of the melancholy reality. Yes, sir; you may look from the balustrades of this edifice, or ascend its lofty dome, and, ranging your view into the Maryland or Virginia side of the Potomac, see lands thus contiguous to the capital of the nation which can



be bought for three or four dollars per acre ; some have been sold within the last year for less than three dollars per acre. The sparse inhabitants, though patient and laborious, find that, even with the most rigid economy and frugality, wealth does not augment, and that their most untiring industry must be applied,

“To force a reluctant soil to yield  
Them bread.”

These lands were originally productive, but have become exhausted, from the causes which I have already assigned. To enrich them would require an expense of fifteen or twenty dollars per acre ; an expense which but few will encounter (and but few are able) as long as they can purchase, at the low rate of \$1 25 per acre, rich and fresh lands on the navigable rivers of the West, which will yield more abundantly.

I will invite the attention of the committee to a passage of the report, which, I think, and I believe it can be shown, assumes a false position :

“The Government of the United States,” says the report, “is probably the only vender, either of land or any other property, that holds *the most inferior* quality of any article at *the same price with the best*. If an individual were to maintain that all domestic animals of a given species were of the same value, how inconsistent would he appear? If a merchant were to refuse to sell *kersey* at any lower price than he could obtain the *superfine broadcloth*, his conduct would certainly be deemed utterly absurd. Yet there is not greater absurdity in either of these propositions than there is in maintaining that *land of every quality* is worth, or should command, the *same price*.”

“But give me a foothold,” said one of old, “and I will move the world.” Grant the gentleman’s premises, and I will admit that there is some plausibility in his conclusion ; but I utterly deny that it is a fact that the “Government holds the most inferior quality of the public lands at the same price with the best.”

This leads to a more particular inquiry into the mode adopted by Congress for the sale of the public lands. Prior to 1820, those lands which were not sold at auction at above \$2 per acre could be entered by purchasers for that sum, to be paid in four equal annual payments ; the first within forty days, and the three other payments within two, three, and four years, after date of purchase. No interest was to be charged if punctually paid, and a discount of eight per cent. was made by the Government if the purchaser paid cash ; so that, by prompt payment, the price would be reduced to \$1 64 per acre, and the purchaser was allowed to purchase any amount above a quarter of a section of one hundred and sixty acres. The present law permits sales of an eighth of a section, and establishes a minimum price of \$1 25, which is required to be paid in hand. But before any land is liable to private entry at the price of \$1 25 per acre, it must have been first offered at public sale.

The lands are now first offered at public vendue, exposed to fair competition, and not unfrequently, instead of \$1 25 per acre, they bring five and ten times that amount. By the recent sales of the lands on Red river, within the last three years, they have sold as high as from twelve to thirteen dollars per acre ; and yet we are, with these

undeniable facts before us, told that the Government asks as much for her worst lands as she does for her best.

By the report of the Commissioner of the General Land Office, which is appended to the report of the Committee on the Public Lands of the twenty-third Congress, it will appear that, in three years, beginning with 1826, there were sold 413,607 acres of public land in Alabama, for \$576,087; making the land sold average \$1 39.3 per acre, which is considerably more than the Government rate, as fixed at the minimum price; and yet, with that evidence appended to the report, the committee gravely asserts that the Government holds all of its lands at the same price. The honorable chairman of the committee complains that the price of the public land is too high; and, as proof, he exhibits the fact that some hundred millions of acres have been surveyed, and remain unsold. This may be true; but it does not establish a clear inference that the price is too extravagant, because, in the space of some twenty or thirty years, the whole Western forest has not been made to yield to cultivation, and to swarm more redundant with population. If the ratio of the increase of population, as contrasted with the old States, were to be regarded as a criterion of the relative prosperity of the several regions of the Union, I think that I have already shown that the new States have no cause of complaint. Most clearly it would leave an inquisitive reader a better ground to judge of the reasonableness of the committee's complaint of a want of ready sale of the Western lands, if it had favored us with an estimate of the quantity of the public lands which have been annually sold in the West, rather than the aggregate amount of acres which is still in market. And if the committee had shown that the sales were annually diminishing in quantity, then, possibly, some cause of complaint might exist against the policy of the Government. But when the glaring fact is known to all, who are anxious to know it, that the sales are annually increasing beyond the most credulous expectation, I think that those complain without cause or reason who charge the Government with a want of liberality to the new States. The progressive augmentation of the sales of the public lands has been rapid to an extent which awakens surprise in the mind of every reflecting individual. All the public lands sold prior to 1787 were but 72,947 acres. The Government has sold within the last year more than 2,000,000 of acres. Then, when it is made manifest that the rapid increase of the sales of the public lands has been beyond all expectation, and only surpassed by the more rapid augmentation of the population in those new States, it must be undeniable that the liberality of the Government has been as munificent to the new States, as their complaint of the measures and policy of the Government towards them is ungenerous and unjust.

Still we are told that the price of the public lands is too high. If we were to apply the trite maxim of the factor, that

"The worth of a thing  
Is what it will bring,"

(which I will readily grant is a good maxim, when applied to the

productions of the workshops, when the supply bears a just proportion to the demand, but which is not so strictly applicable to land, when the supply is more than commensurate with the demand,) its price should be controlled in a great degree by the value of the productions which it may yield.

I have shown that the increase of sales and the increasing demand for lands, prove that the land is regarded as fully worth the price which the Government has established. I am fully convinced that the maxims of political economy are less to be consulted in the present investigation, because they are too frequently the mere refinements of theory, which will not always accord with practical results, than the illustrations from actual experience, which easily lead to just and reasonable conclusions.

To investigate the true standard by which the price of lands should be valued would require details of calculation which I have not had time to make, and a familiarity with the practical science of national economy which I do not pretend to thoroughly possess. A few general observations may be indulged.

The *nominal* value of land is controlled by the price which it would bring in market or at sale. This nominal value is controlled in a great degree by the *quantity thrown into market*, as well as by the quality of the soil. Were all the soil owned by the United States from the Alleghany mountains or from the Mississippi river to the Pacific ocean thrown into market within the coming year, I am disposed to believe that they would not bring six cents per acre, because the *supply would be greater than the demand*. The *absence of capital and population* would restrict the demand, whilst the intrinsic value of those lands would be many dollars per acre.

Where is the capital to be found to purchase quickly all the public domain? All the gold and silver coin in this country will amount to some sixty millions. Commerce and the multifarious wants of life will not allow it to be abstracted from those urgent purposes, to be invested in land. Were you to melt up all the gold and silver in the nation, it would not make one hundred millions of dollars. The pockets of the people have not yet been filled with the precious metals, and we are told that they would be ruined by the credit system. The farmers now can hardly pay their debts, and are but poorly able to make extensive purchases of land. The Magician's wand has not yet been wielded over their fallow fields, nor touched their stones into gold. And if all the public lands were at once sold to hungry and devouring speculators, where is the labor in this nation to cultivate them? If every merchant and mechanic were to become an agriculturist, three fourths of the public lands would remain uncultivated for a quarter of a century to come.

The intrinsic value of land is governed by the quantity and value of the commodities which it may yield. If an acre of ground costs one hundred dollars, and money is worth, for the use of it, six per cent. per annum, and the land will yield productions, after defraying all the attendant expenses of improvement and cultivation, that will



yield a profit, in value, upon the capital invested and all the contingent expenses of every kind, of six per cent., no one will deny that the intrinsic value of the land is equal to its original cost. The yield above that amount is clear profit to the cultivator. Or, to illustrate from fact instead of theory: lands now on the Savannah river, the choicest rich rice lands, will command three hundred dollars per acre; and they are really cheaper, in point of productiveness and profit, at that price, than the more steril lands of South Carolina would be at ten dollars per acre; because on those rich lands the expense of cultivation is not so great, and they yield more abundantly, in proportion to the capital invested. They will yield from ninety to a hundred bushels of rice per acre, which is worth in the caps about one dollar a bushel; and one hand will cultivate about five acres.

Dr. Black has demonstrated in his prize essay, which was published in the *American Farmer* in 1820, and never read but with approbation, that every acre of arable land in New Jersey, which now sells at from ten to thirty dollars per acre, is intrinsically worth five hundred dollars per acre; and might be placed in such a state of cultivation as to yield, after paying that great amount, and all the numerous expenses of cultivation, from six to ten per cent. upon the capital employed in the purchase and cultivation. The attested history of the present day illustrates the theory of that essay. The experiment has been successfully tried in the State adjoining. I must request the Clerk to read the following article, in the first number of the *Delaware Register and Farmers' Magazine*, printed in February, 1838. It is headed "*Improvement of the soil—profit of crops—Italian spring wheat.*" The article will be interesting to every farmer, and to all who feel any interest in their prosperity:

"In the year 1833, Messrs. Sipple and Pennewell, wishing to secure a landing and ship-yard on St. John's creek, in the immediate vicinity of Dover, purchased several acres of very poor land, then offered for sale, at the rate of about thirty dollars an acre. After setting apart a sufficient area for the ship-yard and landing, they had remaining about five or six acres of land, which they determined to improve, more by the way of experiment than the hope of much profit. They commenced liming and manuring their new purchase, and at the same time put a part of it in cultivation. It may now be called good land, but by no means as rich as it can be, and soon will be, made, in consequence of the enlightened mode of improvement adopted and continued by those gentlemen.

"From the beginning, they more than realized, from the sale of various crops, all the expense of tilling and manure; but have kept no correct account, except as it regards two acres and one quarter, measured and laid off for the express purpose of testing the capability of the land as a source of profit. From this they have taken, since 1833, a crop of oats, and one of red spring wheat. On the 15th day of March, 1837, they sowed on these two acres and a quarter four bushels and one gallon of Italian spring wheat, which they harvested on the 14th day of July following. They obtained sixty-eight bushels of clean wheat, weighing sixty-one pounds to the bushel, which they immediately sold at three dollars per bushel, for seed, and had left three bushels of inferior quality. From this and the corn crop of 1836, from the same lot, they realized the sum of \$344! and they say the fodder and straw fully compensated them for every expense of tilling. Mr. Sipple thinks the wheat was sown too thick, and that one and a half bushels to the acre would have been quite sufficient. The Italian spring wheat has a remarkably bright straw, and is supposed not to be subject to rust.

"They are now receiving from the land, thus improved, an annual clear income equal to the interest of *five hundred dollars an acre!* All the land in the neighborhood of Dover,

and most of that of Kent county, is naturally of as good quality as the lot thus improved, and yet we find much of it selling at from *five to ten dollars the acre* ! It is what may be called a light loam, in which sand greatly predominates.

"The above statement of facts is wholly derived from this source, and may be relied on, and is well worthy the serious consideration of all such persons as contemplate selling at a low price such lands, in a country remarkable for its health, beauty, advantages of location, and proximity to the best markets in the United States."

It may be asked, why, then, are these lands sold in the old States ? I reply, first, because agriculture has not attained that perfection in this country which it has in some parts of Asia and Europe, and especially in China, where each acre of land is made, by prudent cultivation, to support an inhabitant. To enrich lands and to cultivate them well requires a great expenditure of money, and still greater of labor. At least one fourth of the lands in cultivation in the old States would be greatly improved by having at least fifty bushels of lime or compost used upon each acre ; and at least another fourth would require one hundred bushels, and another fourth one hundred and fifty or two hundred bushels.

It is not unfrequent in Derbyshire, England, to use as much as six hundred bushels, and the average quantity used in England and Scotland is about one hundred and fifty bushels per acre. But take an average of one hundred bushels to the acre, and each bushel to cost ten cents, and estimate the number of acres requiring lime to make them productive and profitable at but six millions, the amount of the capital would be sixty millions of dollars. And to this should be added the expense of the labor to be employed in the process of enriching and cultivating the lands, which would be at least sixty millions more. It would require more than double the amount of gold and silver which is now in this nation. If the amount of capital and labor required was really available, I have no doubt the profit would be abundant in the immense increase of production. But the farmer is told that if he goes into debt, and ventures to use the credit system, he deserves to be a bankrupt, and is forced to gather, as he is wont to do; his scanty crops from his impoverished soil. A few who have the means may highly cultivate a few acres ; but the number of those who own large or even moderate farms is small, that can highly enrich their lands. Those who labor on the soil do it as a means of supplying the primary necessities of life, and for the accumulation of wealth. They apply their capital and labor where it is most productive and profitable. Their own sagacity and experience convince them that they would do well by cultivating the lands less fertile in the old States : but the quickening principle in self-interest teaches them that it is more profitable for them to emigrate from a State where their profits are but ten or five per cent, and go to the new lands, which will yield them from fifteen to one hundred. Thus it is that the price of lands is kept down in the old States, whilst their population crosses the mountains, and the lands in the valley of the Mississippi are made to enhance in value and in productiveness.

The taste of this age in this nation seems to be wild and impetu-

ous speculation ; to move forward with a stern pressure in pursuit of sudden wealth, to rifle our descendants for present lucre, and to gamble away in politics or speculation the whole public domain—to use the present moment, regardless of the wants of the many millions who are quickly to take our places in existence, instead of adopting a policy that would advantage the present generation, without doing injustice to those which are to follow. We boast of our agriculture, and yet have often to import our bread stuffs. We boast of our knowledge, and make no provision, with means abundant, to provide for the education of the hundreds of thousands who annually grow up in ignorance and vice.

We can judge of the resources of this country by viewing the rise and progress of other nations, less advantageously situated, in agricultural advancement, and in augmentation of population. I will, therefore, read the following extract from the able pen of Dr. Humphreys, who obtained his information from the reports of parliamentary committees and other authentic documents. He says, (writing at the time from England : )

“ It is the opinion of competent judges, that the advances made in the agriculture of Great Britain during the last seventy or eighty years are scarcely exceeded by the improvement and extension of its manufactures within the same period ; and that to these advances, no other old settled country furnishes any parallel. That they have been very rapid, indeed, the following figures and comparisons abundantly show. In 1760 the total growth of all kinds of grain in England and Wales was about 120,000,000 of bushels. To this should be added, perhaps, 30,000,000 for Scotland—making a grand total of 170,000,000. In 1835 the quantity in both kingdoms could not have been less than 340,000,000 of bushels. In 1755 the population of the whole island did not much, if any, exceed 7,500,000. In 1831 it had risen to 16,525,180, being an increase of 9,000,000 or 120 per cent. ! Now, the improvements in agriculture have more than kept pace with this prodigious increase of demand for its various productions ; for it is agreed on all hands that the 16,500,000, or rather the 17,500,000, (for more than a million have been added since 1831,) are much fuller fed, and on provisions of a far better quality, than the 7,500,000 were in 1755. Nor is Great Britain indebted at all, at present, to foreign markets for her supplies. Since 1832 she has imported no grain worth mentioning, and till within the last six months prices have been so exceedingly depressed as to call forth loud complaints from the whole agricultural interest of the country. England is, at this moment, so far from wanting any of our bread stuffs, if we had them to export, that she has been supplying us all winter liberally from her own granaries ; and, according to the latest advices, she has still bread enough and to spare. Again : it is estimated by British writers, of high authority, that the subsistence of 9,000,000 of people costs, in raw produce, no less than £72,000,000, or £8 for each individual, per annum. According to this estimate, the annual product of this great branch of national industry is \$350,000,000 more at present than it was in 1755 ; which is more than twice the value of the whole cotton manufacture of the country in 1831. Now, if it costs \$350,000,000 to feed the increased population of 9,000,000, then to feed the present population of 17,500,000 must cost near \$700,000,000 ! What an amazing agricultural product for so small a territory ! And yet it is the opinion of practical men of the highest respectability in England, that the raw produce of the island might be well nigh doubled, without any greater proportional expense being incurred in its production. That is to say, 35,000,000 of people might draw their subsistence from that one little speck in the ocean ! Now, *we* have a territory more than fifteen times as large as the island of Great Britain ; and what should hinder it, when it comes to be brought under no higher cultivation than some parts of England and Scotland, from sustaining a population of *five or six* hundred millions of people ? This would give to Virginia something like *thirty* millions—to Illinois and Missouri about the same number each—to New York near *twenty-five* millions—and so in proportion to the other States. I am quite aware that this estimate will be regarded as extremely visionary and incredible, by many of your readers ; but not



more so than it would have been thought in the middle of the last century, that England, Scotland, and Wales, could ever be made to sustain thirty-five or even thirty millions.”\*

If the report of the committee had shown that, from the present price of the public lands, it was impossible for a purchaser to realize a profit from their cultivation greater than the interest of the amount of capital invested in the purchase, there would have been some cause, not perhaps for complaint, but for a deliberate investigation of the present policy of the land system, and its relative bearings upon the Western and Eastern land interests of the nation. But when the report does not attempt to urge such an argument, and it is the only feasible argument, I humbly conceive, that could be urged, we are left to the irresistible inference that a request has been made of Congress which is supported by neither the powerful auxiliary of reason nor the still more potent influence of justice.

So far is it from the fact, that the investments of money in Western lands do not realize profit, reasonable and abundant, the very reverse is established by the experience of every individual who has tested the experiment. And the truth of the assertion which I now make cannot be denied : that in no part of the United States is wealth so rapidly augmenting, upon the amount of capital invested, as is being realized in the very State in which the honorable chairman of the committee who made this report [Mr. CLAY, of Alabama] resides, and in the adjoining State of Mississippi. Whilst the most laborious and judicious farmers of the Atlantic wheat-growing States realize scarcely, on an average, five per cent. on the amount of capital invested in land and its cultivation, the cotton planters of Alabama and Mississippi are realizing from fifteen to forty per cent. upon the capital employed. I have in my hand an estimate which, at my particular request, was given me by a skillful and distinguished planter of one of the Southwestern new States, in which it is shown that, from a capital of \$20,000, invested in the purchase of a cotton plantation, and hands and stock, and all the incidental expenses attendant upon a year's cultivation, at an usual average of crop, and a

\* A judicious gentleman, (General Dearborn,) has also recently well said that—

“With us land is so abundant, in comparison with the population, that we have no just conception of its value, as estimated in those portions of the globe where the inhabitants are so numerous that a few roods are considered an estate so ample that the fortunate proprietor is accounted an independent man.

“But even in the vast extent of the United States, with the millions of acres still in a state of nature, how many thousands are now cultivated which, a few generations since, ay, in our day, were deemed worthless? In England, what extensive morasses have been reclaimed, and added to the domain of agriculture, while the heath-covered mountains of Wales and Scotland are rapidly being planted with magnificent forests, not for embellishment merely, but as inexhaustible sources of wealth. The old Duke of Athol planted on his estates in Perthshire 15,593 acres, which contained 27,431,600 young trees; and his successor set out 6,500 acres of poor mountain ground solely with larches. The land was not then worth over 22 cents rent per acre; and now, with the timber on it, is valued at 32,500,000 dollars. The citizens of this country have, here and there, selected the most fertile and eligible locations, and call most of the vast remainder of the land either refuse or worthless. Time, and the increase of population, will show that nearly *the whole will become more valuable than even what is now deemed the most choice.*”

moderate price, the investment would realize fifty per cent., or ten thousand dollars clear profit; and this estimate does not place the price of the land at \$1 25, but allows ten dollars per acre. From the best information I can gather, I am led to the conclusion that, upon the capital employed in the cultivation of cotton in Alabama and Mississippi, for the last few years, the profits have been more frequently higher than forty per cent. than lower than twenty. The profits are enormous; and there are no gold mines in the world that are realizing such considerable profits from the capital invested, as is being acquired from the cultivation of cotton, on the cotton lands of the Southwestern region of the Union.

Not only has the cultivation of the land proved profitable, but the speculations in land uncultivated have been, in most cases, equally so. I would ask if there are not many who have purchased land of the Government, at the trifling price of one dollar and twenty-five cents per acre, who have realized large profits from it? Are there not gentlemen within the sound of my voice who have purchased land of the Government, within the last twelve months, and have realized more than an hundred per cent. upon it. Are there not gentlemen now in this Capitol who have purchased land within the last year, at \$1 25 per acre, who have since sold it, realizing by the sale more than seven hundred per cent? (A voice on my right says, *yes, more than a thousand per cent.*) I believe it. This I know to be the fact; and yet I do expect that many gentlemen will be found in the negative vote upon these resolutions.

Speculations in land are carried on now to a most unexpected extent at the present prices; reduce the price, and adventurers in that pursuit will increase to an extent which will make land-jobbing, instead of frugal cultivation, the business of many thousands who have capital or credit to use, and throw into the hands of large capitalists a vast amount of land, which will be sold, as is too much the case already, in small parcels, to settlers, at a very advanced price. The present low price of public land has not been calculated to improve the mode of cultivating the soil in the United States, and to reduce the price will make it to be still less attended to. The present operation of the system has been to induce those who purchase, to buy large tracts of land, cut down the timber, and, by a rapid succession of crops, to exhaust the soil without replenishing it or enriching it; but as soon as it becomes exhausted to discard it, leave it an exhausted waste, and then purchase fresh lands for \$1 25, renew the same operation upon those, and in turn discard them. This has been the case to a great extent; and even in Tennessee, at this moment, there are vast quantities of lands which have been thus used and abused, and are now called waste or discarded lands. If a still further reduction should take place, you would invite the farmer not to look upon his farm as his home—his abiding place for life—but merely as a resting place for a few years, in his migratory excursion from farm to farm, from section to section, carrying destruction with him, and leaving ruin and poverty in



his wake, like the devastating locusts of Egypt or of South America, preying in their progress upon the verdure of the soil, leaving naught but gaunt hunger and desolation to mark their progress. Or like the shepherds of antiquity, whose gregarious herds would destroy the spontaneous yieldings of one plain but to depasture upon another, so that a sparse and itinerant few comprised the entire inhabitants of vast national territories.

I am not one of those economists who think that the prosperity of the agricultural interest depends upon each farmer holding in possession vast tracts of land; and that, by reducing the price of land, you will allow him the means of appropriating to his exclusive use extensive tracts of the public domain. By doing so, you neither promote the agricultural interest of the nation, nor do you, by such a policy, improve the mode of cultivation. The wealth of a nation, like that of a farmer, depends upon the amount of useful and profitable productions which are brought into market. Where farms are small, the cultivation becomes improved, and the yield per acre becomes more abundant and profitable; the land is made more valuable and the expense of cultivation greatly reduced. Look at those regions of the United States where the land is naturally good, and cultivation has improved its quality! They are distributed in small farms. You will find not only the greatest amount of production and profit, but a population prosperous, numerous, and happy. Phelpsstown, in Ontario county, New York, contains, perhaps, the most dense agricultural population in the United States, and the farms will average not more than from fifty to one hundred and fifty acres. Lancaster county, Pennsylvania, is more densely populated and abundant in wealth than any county in the State, of its geographical extent. The farms there are very small, yet highly cultivated. In the county of Frederick, in my own State, the farms are generally small—smaller than they are in any other county in the State—yet agriculture has attained a degree of improvement which characterizes no other county; and that county prospers in wealth and population beyond any in Maryland.

Look at the history of Germany, Belgium, and Poland, where agriculture has attained a high state of improvement! You will find the farms small, the yield great, and the population crowded; and in the latter nation, especially, notwithstanding it has been so frequently desolated by wars. For it is true that population will increase in proportion to the facilities of supporting its wants; and hence it is that Russia increases in population more rapidly than any nation of Europe, because its vast extent of territory, much of it very productive, affords all the means of producing all the prime necessities of life. So in the United States, whose population increases more rapidly than that of any nation on earth, because we have not only a climate of every temperature, and in many respects the most congenial that could be desired, but because we have the means of producing the substantial necessities of life with the least expense and labor, in consequence of the cheapness of lands

and their immense fertility. When on a tour to the North, a few years since, I saw on the borders of Crooked lake, in New York, land which sold for but ten dollars an acre, and had been clothed with the richest forest of timber, which had been felled, and yielded to the proprietor, for the wood alone, about fifty dollars per acre. The soil, unbroken by the plough, was well set in wheat, which had been sown upon the surface of the earth only by the slight aid of the harrow, and was expected to yield from twenty to thirty bushels of wheat to the acre. I have seen the same process of pitching a crop in the Western States, that promised a greater production: then, why cannot a purchaser afford to give \$5 instead of \$1 25 per acre?

When such immense productions and profits result from so small a capital invested, and such moderate labor applied, in a latitude so far north, what must be the profits upon an investment in fresh lands in the Southern portions of the Union, where there is a more genial sun, and a soil ready to produce, almost unaided by art, by the mere spontaneity of nature! You can imagine the individual profit to those persons living in such favored regions of the country, when the fact is known, that in the new and fertile State of Mississippi, which contained a population, at the last census, of about eighty thousand white inhabitants, the exports, two or three years ago, amounted to the immense sum of ten millions of dollars. Range your inquiries over the whole Atlantic tier of States, and where will you find any agricultural population, of equal numbers with that of Mississippi, which produces in value one half the amount of productions? Where else on the face of the habitable globe will you find the same number of people as are comprised within the limits of that State, who realize the like amount of profits from a similar amount of capital and labor? Its parallel is nowhere to be found.

Whilst all the productions of the forest, soil, mines, and workshops, which passed through all the New York canals during the last current year, amounted in value to \$55,809,288, which was the result of the labor of perhaps more than two millions of persons, the whole amount of our exports of domestic articles, during the last year, is but \$95,564,414.

And yet we are gravely called upon to adopt the levelling, the agrarian system, upon the pretext that it will benefit the agricultural interest of the nation; that by reducing the price of the public lands, by virtually giving up and surrendering to squatters, to idlers and adventurers, the whole landed property of the nation, we will promote the welfare of the agricultural portions of the country. If, in violation of the law of the compacts, Congress should thus give up and divide in common, to whoever may seize upon it, the public domain, what guarantee will you have that the principle may not be carried one step farther? That the next attempt will not be to divide all the property of the nation? Sir, the same reason that will justify the former measure will sustain the latter. I ask, can such a policy, in part, or in general adoption, promote the interest of the farmer? Did Lycurgus adopt the agrarian laws for the purpose of promoting

the domestic pursuits of agriculture? Or was it to destroy them? His policy was to destroy the attachment which men of industrious habits acquire for the soil which sustains them; *an attachment made doubly strong when the land is acquired by hard industry, and for a valuable consideration.* He was not for encouraging the rural and domestic arts; he was anxious to rear up a band of soldiers, a mere army of plunderers, too idle to work, and trained only to depredate upon and plunder the hard earnings of his more industrious neighbors. They were taught to despise the tame pursuits of honest industry, and boys were trained, from infancy, first to steal, and afterwards to plunder. All Laconia was nothing more than a camp of outlaws and freebooters. Men were made to choose their wives in the dark; and children too puny to make soldiers were drowned, to prevent being a tax upon the state. Justice was outraged, and every moral sense of delicacy offended.

One of the features of the Lycurgus agrarian system, which has been much panegyricized by all historians, has been omitted, perhaps through prudential considerations, in the bill before me, reported from the Committee on the Public Lands. Whilst Lycurgus divided the property of the nation, he also abolished the habits of extravagance and luxury, and had all vine trees cut down in his kingdom. Whilst modern politicians and law-makers will advise the passing of laws to divide the property of the nation, and expect to render themselves popular by such a scheme, you cannot find one who will hazard the consequences of recommending a provision to destroy vineyards or to demolish distilleries. To arrest this tendency to *levellingism*, Congress should promptly mark it with the frown of its disapprobation; or many ambitious men who, having a small capital of talent to sustain their aspiring views, will resort to the public property, in order to hold out a bribe to the indolent, that, in consideration of their suffrages, they will reward them by giving each voter a farm, to serve only as a pepper-corn, to show by what tenure their lands and their votes shall be holden.

Sir, I disclaim any personal allusion to any member on this floor. I have nothing to do with the motives of honorable members, and shall not inflict the cruelty of impugning motives. But in these days of ambition, of levelling talent, and equalising property, I do most verily believe that there are in the United States some politicians who would pull down any thing short of the pillars of heaven, to aggrandize and elevate themselves.

To induce Congress to reduce the price of the public lands which have been surveyed, an appeal is made to awaken the prejudices of what the honorable author of the report calls the "*poor*," who have been "*driven*"—yes, sir, that is the language of the report, "*driven*"—by the oppressions of the rich "*capitalist*;" or in the words of the report, "if the bill (to reduce the price of the public lands) were adopted, 'portions' of the lands would be purchased by poor men, who have been driven from the more fertile tracts by men of large capital, and by speculators." How have the poor been driven from



the rich lands? If they had seized upon them without purchase, they had seized upon what was not their property; and they were not more entitled to them than an individual who would rescue from you part of your wealth, upon the justification that you had more than you could wisely appropriate or use. If they had purchased the rich lands, the rich capitalists could not deprive them of such lands; for even-handed justice protects every man in the rightful possession of his property. Then I am at a loss to conceive how it could have entered the contemplation of the author of this report, that the rich could *drive* the poor from rich lands. But does the gentleman design to benefit the poor, by placing them upon poor lands, as is intimated in the report? Induce the poor man to settle on poor lands, and you will compel him to remain poor all his life; he must live poor, and must die poor. One acre of rich land is more valuable to a poor man than fifty acres of poor land; whilst less labor and less expense are incurred in the cultivation of the single acre, the productions may be greater than those arising from the fifty.

It would be perhaps ungenerous to charge the honorable author with introducing this part of the report for *captandum* effect; and I will not do so, though there are those who would beguile the people, outrage the law, and endeavor to delude the poor and to win their favor; who would inculcate in them the belief that the laws oppressed them; and, for that reason, they should not respect the laws. Politicians who would promote an evil under such a pretext do not merit any feeling higher than the cordial censure which excited indignation may inflict. But, sir, such arguments have been used in all times to effect such ends. Graphic Shakspeare knew well what arguments to give his characters, to operate upon the human passions and prejudices, and what to induce a violation of the law—that even poison itself might be administered:

“ Art thou so bare; and full of wretchedness,  
And fear’st to die? famine is in thy cheeks,  
Need and oppression starveth in thy eyes,  
Upon thy back hangs ragged misery,  
The world is not thy friend, nor the world’s law:  
The world affords no law to make thee rich;  
Then be not poor, but break it, and take this.”

Human passions are ever operated upon by designing men to effect a favorite scheme, or to promote an intended measure, by like arguments and kindred hopes. Though laws may change with the ever-changing condition of society, yet the laws of human nature are always the same; and now, as in times past, the designing man knows how to wake the prejudices of the people, and to draw ideal lines between the rich and the poor. Poor himself in the rich virtues of the human heart, he urges them first to complain, then to remonstrate, then to spread wide their excitement; whilst he ranks himself by their side, in hopes finally to ride on their backs into exalted office.

I am sorry to find in the report a distinction between the people of the United States; and that one portion are called poor, another portion rich. I neither know nor recognise any such distinction.

The only poor, as a class, that we have in this favored nation are the paupers in the various poor-houses throughout the nation. There is no other class that merits the epithet. Is the man in the prime of life, with vigor of body, industriously earning by labor enough to support himself with comfort, and to supply himself with all the necessities of life, to be called poor? Assuredly he cannot be called so, when he can so easily procure all that is essential to his comfort and happiness. Though not a landholder, though not spending his life in luxury and indolence, a man who can live comfortably by his honest industry is rich in all the essentials of happiness. And who that is honest and industrious cannot make a decent livelihood in this nation, where labor is in such great demand, and where wages are higher than in any part of the world? Have any memorials been presented to this House from the poor, calling upon Government to give them lands, or to give them money, to make them a class to be fed from the national Treasury and national bounty? No, sir; the honest man, however indigent, makes no such request; his pride, excited by justice, will not deign to make such a demand. All that he asks of the Government is to protect him in all his civil, political, and religious liberties; to adopt that policy that will allow him ample wages for his industry, and render secure and inviolate his own property. However inconsiderable it may be to him, it is as valuable as the large possessions of the more fortunate. Less should not be required, more cannot be expected, in reason or in justice.

But once adopt the bill under consideration, and what will be the consequences? Such as I have already described. By the reduction of the price of the lands you induce persons to take possession of them; not for permanent abiding-places, but simply to cut down and destroy or sell the timber, exhaust the lands by rapid and repeated culture, then throw them away, discard them as waste lands, and enter fresh lands, in order to abuse them in like manner; which, in the language of the report, "would result in the sale of many thousands, if not millions of acres, which otherwise will not be sold so quickly, but be deprived of timber, exhausted, and worn out, by those who have no inducement to preserve the soil longer than for even temporary use; which is not only detrimental to the interest of the United States, but highly injurious to the particular State in which they may happen to lie."

This language of the report sustains most forcibly my own positions, and destroys the force of the recommendation of another part of the report.

But it is almost always the case that arguments are contradictory, when they are used to urge a ruinous measure, or to sustain one which is not wise and reasonable.

Such, then, will be the operation of this policy, if adopted, and such will be its inevitable consequences.

I ask honorable gentlemen from the new States, how can they reconcile their support of a measure to reduce the price of the public lands with their duty to those of their constituents who have pur-

chased lands at the present price, under the belief that the policy of the Government was fixed and permanent? Are they willing to sacrifice the value of the property of one portion of the people of the new States, to gratify the cupidity and hungry appetites of another? If they are, I am not. I ask, would it be in good faith, on the part of Congress, to sell to one portion lands at twenty-five cents an acre, when they have exacted of another one dollar and a quarter? Will you thus depreciate the price of the property of the industrious farmers who have bought lands, and tell the eager speculator that he may enter lands adjoining at twenty-five cents, and thereby be enabled to undersell his neighbor?

The report frequently repeats the assertion that the measure proposed will advance the interest and prosperity of the farmer; and quotes a passage from the President's message, which can have but little applicability to the question, and can merit but little favor from the farming interest of the country. The report reads:

"But the amount of money to be realized from the public domain is not the sole nor even the chief consideration which should influence and determine the policy of a wise and patriotic Government. In the language of the President, in his annual message of December, 1832, 'the wealth and strength of a country are its population, and the best part of that population are the cultivators of the soil. Independent farmers are every where the basis of society, and true friends of liberty.' These sentiments, it is hoped, will find a cordial response in every bosom. Their truth and justness are attested by all history. It may be asked, triumphantly, when did the cultivators of the soil willingly abandon the principles, or knowingly become the enemies, of free government? The soundness of the principle laid down is sustained by the most approved doctrines of political economy, and sanctioned by practical experience."

This all reads very well; but are the farming interest to be lulled by a compliment of this kind, or can they regard it as a compliment, in the refinement of this nineteenth century, to be called *honest and friends of liberty*? Why, the presumption of law, not only now, but in the feudal times and before, sanctioned the belief that even a thief, arraigned before the bar of justice, was honest and virtuous, however strongly charged, until the proof of guilt was made manifest by a verdict of his peers? Why, then, quote the President as authority to prove what no one has ever for the last thousand years questioned? And why not say that the mechanics are likewise friends of liberty? Or is the design to quiet the suspicions of the farmers, and silence their indignation, by the garnishment of an ill-graced compliment, whilst you sacrifice their property by depreciating its value, in order to win favors with the land speculators of the West and their tribe of dependents?

I cannot but esteem the mechanic as patriotic as the farmer, and as truly devoted to liberty. If I felt desirous to follow the illustrious example of the committee, I might say that, although General Jackson complimented the farmer, the like is done once a year by the Emperor of the Celestial Empire. There are equally illustrious examples in favor of mechanical pursuits. Peter the Great, Czar of all the Russias, did not hesitate to work at the ship-yard, in respect for mechanical pursuits, and to stimulate his people to do likewise. Charles V, Emperor of Germany and King of France, resigned the



sceptre which he had wielded over more than half of Europe, and became a clock-maker.

This language of General Jackson's message is quoted in the report made by the Committee on the Public Lands to the twenty-third Congress; it is carefully copied in the report made by the committee to this twenty-fifth Congress. When arguments fail, General Jackson's name and messages are brought in to fill the chasm, in every long or short report.

When Mark Anthony desired to deceive the people, that he might himself be elevated to the first honor in the State of Rome, he read to them Cæsar's will, and told them how much Cæsar loved them :

"To every Roman citizen he gives,  
To every several man, seventy-five drachmas.  
Moreover, *he hath left you all his walks,*  
*His private arbors, and new-planted orchards,*  
*On this side Tiber.* He hath left them you,  
And to your heirs forever; common pleasures,  
To walk abroad and recreate yourselves.  
*Here was a Cæsar :* When comes such another?"

The report which has been laid on our desks this session, made by a Committee on the Public Lands, contains several passages from General Jackson's messages, which have been quoted a hundred times :

"A large portion of our citizens have *seated themselves on the public lands without authority*, since the passage of the last pre-emption law, and now ask the enactment of *another*, to enable them to retain the lands occupied, upon payment of the *minimum* Government price. They ask that which has been repeatedly granted before."

What a spectacle of lawless outrage does this present ! And yet the only argument urged to countenance it is that the public property has been seized upon by force, and therefore we should legalize that force and lawless depredation, when the very sentence quoted proves that the countenance given by Government to former squatters was hailed as an invitation for every adventurer to seize upon as much of the public domain as his avarice could desire. Yet the argument is used as well as quoted, that the outrage of one measure upon the interest of the nation should be sanctioned and justified by that of a former. If such is the political morality of any public man, I do not wish to be considered a convert to the creed.

The most dangerous doctrine to liberty is the doctrine of precedent, unsanctioned by the voice of reason and justice. Glaring infractions are quickly seen and exposed, and at once awaken the indignation of the public ; but slow, gradual, and constant usurpations and abuses awaken but little alarm, and finally become sanctioned by time, and even error itself almost becomes consecrated by habit and usage. That distinguished writer who aroused, by the force of his brilliant imagination, his attic wit, his withering sarcasm, and powerful reasoning, the whole British realm to check and awe prerogative, in the dedication of his " Letters of Junius " to the English people, summed up the moral essence of all his writings in a caution against the prescription of abuses :

“Let me exhort and conjure you (he says) never to suffer an invasion of your political constitution, however minute the instance may appear, to pass by without a determined, persevering resistance. *One precedent creates another; they soon accumulate, and constitute law. What yesterday was fact, to-day is doctrine. Examples are supposed to justify the most dangerous measures; and when they do not suit exactly, the defect is supplied by analogy.* Be assured that the laws which protect us in our civil rights grow out of the constitution, and that they must fall or flourish with it.”

Abuses as well as errors are to be sustained by usage and habit, and the terror of General Jackson's name is to be held up, to awe or to allure all who pause to doubt. Hence its frequent introduction:

——— “His silver hairs  
Will purchase us a good opinion,  
And buy men's voices to commend our deeds.”

Can it be urged, in justification of the daily depredations which have been committed on the Government lands, that none are surveyed and ready for entry at the land offices in the various States? That cannot be urged; for the following statement from the Commissioner of the Land Office will show that, at this time, there are 88,339,336.44 acres:

*Exhibit of the quantity of public land surveyed, the quantity offered for sale from the earliest period of the sales to the end of the year 1837, and the quantity unsold and subject to entry on the 30th of September, 1837.*

| States and Territories. | Quantity of public land surveyed—acres. | Quantity of public land offered for sale—acres. |
|-------------------------|---|---|
| Ohio, - - -             | 16,555,952.17                           | 16,512,110.65                                   |
| Indiana, - - -          | 20,155,697.67                           | 18,464,679.82                                   |
| Illinois, - - -         | 24,975,656.31                           | 23,991,748.89                                   |
| Missouri, - - -         | 21,440,796.58                           | 21,004,365.47                                   |
| Alabama, - - -          | 29,856,270.19                           | 29,265,055.93                                   |
| Mississippi, - - -      | 20,791,826.32                           | 20,172,482.34                                   |
| Louisiana, - - -        | 10,530,359.43                           | 6,543,393.39                                    |
| Michigan, - - -         | 13,532,192.50                           | 12,731,853.08                                   |
| Arkansas, - - -         | 13,913,431.31                           | 12,662,900.88                                   |
| Florida, - - -          | 9,254,297.73                            | 6,218,573.26                                    |
| Wisconsin, - - -        | 8,679,605.39                            | 4,807,307.20                                    |
|                         | 189,686,085.60                          | 172,374,470.91                                  |

|   |   |               |                |
|---|---|---------------|----------------|
| Quantity of public land offered for sale as above,  | - | -             | Acres.         |
| Of which this quantity was offered for sale subsequent to the 30th September, 1837,   | - | -             | 172,374,470.91 |
|   |   |               | 138,004.30     |
|   |   |               | 172,236,466.61 |
| Quantity sold, as per table A, herewith,  | - | 75,025,055.50 |                |
| Of the quantity of land represented above to have been offered at public sale, there has been appropriated for common schools and other purposes, | - | 8,872,074.67  |                |
|   |   |               | 83,897,130.17  |

Leaves the quantity unsold and subject to entry on 30th September, 1837, 88,339,336.44

Both reports state :

“That the committee concur in the views of President Jackson, in his annual message to the two Houses of Congress in 1835, in which he says : ‘It seems to be the true policy, that the public lands shall cease as soon as practicable to be a source of revenue ; and that they be sold to settlers, in limited parcels, at a price barely sufficient to reimburse to the United States the expenses of the present system, and cost arising under our Indian compacts.’”

This proposition, so ruinous to the old States, and I believe to the new, if adopted, was used by the President, when there was an overflowing surplus in the Treasury. This language is now quoted and used, in the report of this session, when the Treasury is bankrupt, and has not one dollar of gold or silver in it but what is purchased, and is driven to the drift of issuing a suspicious kind of paper money. To reduce the price of the Western lands would be to invite all who desire to purchase Government land to delay making purchases until the limitation of the time shall expire, when the lands may be entered at the low price of twenty-five cents per acre, which is proposed ; and in the mean time it will force those who have already purchased, for the purpose of reselling, to dispose of their lands at a reduced price. So, whilst it will destroy in a great degree all revenue to the Government by sales, it will have the tendency of ruining many who have purchased of the Government upon its faith to continue the present system and the present price.

How gentlemen can sacrifice the interests of so large a portion of their constituency, by sustaining such a proposition, to indulge the avaricious longings of another portion, is not my business to inquire. Or how any member from any of the old States can countenance, with the slightest look of approbation, such a measure, puzzles my judgment. What maxim of political economy will justify it ? What principle of reason ? What sentiment of justice ? I am slow to believe that motives of policy which war upon sound reason and strict justice can induce its support, or that the considerations of interested influences, which have ulterior hopes and sinister objects, will warrant so great a departure from the faith of the compacts, or so unwarrantable a surrender of the interest and property of all the States to the cupidity of a few, so that a portion of the new States shall be aggrandized at the expense and sacrifice of the old. Or are the prophecies of old to be twice fulfilled : that “the one people shall be stronger than the other people ; and the *elder shall serve the younger*.”

If there be any member on this floor from an old State who “despises his birthright,” I would repudiate the belief that I am that member. I do not belong to that Esau tribe that will dispose of the pledged inheritance of myself, my constituents, and my State, for a present feast of “red pottage.”

The behest of a party, if given, could never, I hope, induce me to commit so wanton an injury upon the people of my State and the nation, whilst a representative on this floor, as to surrender their dear-bought interest in the great public domain. Nor could the



command of any individual, however exalted his station or elevated his hopes, influence my calm judgment on this subject. Political triumphs or defeats should never enter into the consideration of this question. I rejoice not like the Swiss at the setting sun, nor like the Persian at the rising. I would look more at things than persons, less upon men than their measures, and severely scrutinize both. I cannot adopt the diplomacy of the Scotchman in the Man of the World, who could *never stand straight in the presence of a great man*. I would judge of virtuous men by their acts, and of public men by the wisdom of their measures. He who acts upon measures by principle, and makes the broad and enduring interest of the nation his controlling consideration, cares but little whether he be with the many or the few, so long as he has the approbation of an upright and approving conscience: that affords him abundant consolation, and if placed in retirement he can then truly say, with the Grecian, that he never feels less alone than when alone.

On this occasion I cannot but allude to what I consider a false position which General Jackson is made to take by the report of the Committee on the Public Lands at this session.

General Jackson predicated his reasons in favor of a reduction of the price of the public lands upon the ground that they furnished a surplus revenue, made an overflowing Treasury; and he thought that an evil would result to the nation from an eager avidity on the part of the States to be possessed of the distributable surplus. Others, I know, thought that his reasons were more of a personal character, because some of his distinguished opponents advocated a distribution of the surplus revenue among the various States. I am willing to believe that the former were the reasons which induced the recommendation in his message.

Do not the committee perceive that the reasons urged by the President at that time are inapplicable now? Where is your surplus treasure now? Have you a redundancy of money in the Treasury at this time? Is it overflowing, as it was a few years ago? It cannot have been forgotten that you passed a bill at the extra session to withhold the fourth instalment of the distribution act, upon the ground that the Treasury was bankrupt. It cannot be forgotten that you passed a bill to authorize the Secretary of the Treasury to issue ten millions of Treasury notes. All know that the chairman of the Financial Committee has reported a bill to issue another ten millions. Then, when the Treasury is delinquent some twenty millions, how can the arguments of General Jackson apply, which were predicated upon a surplus of some forty millions? The committee should recollect there was no distinct proposition presented at the time when General Jackson wrote his message, to have the public lands, or a portion of them, distributed among the old States, for the specific purpose of education; the propositions were different and compound. Nor was there a simple and definite proposition of this character when Mr. Van Buren wrote his last message. As limited as my favorable opinion is of both of those distinguished personages as

wise and practical statesmen, I do not believe that either of them could be so unmindful of the public interest, so deaf to the voice of the indigent, so cruel to the offspring of the needy, so indifferent to the interest of all of the States, as not to give a cordial sanction to a measure which would exalt the condition of all, by carrying education to every habitation in the nation. Had the direct proposition been submitted to General Jackson to distribute among the States, upon some equitable basis, the whole proceeds of the public lands as a permanent fund for educational purposes, I have no doubt in my mind that he would cordially have approved of it. Were it submitted to Mr. Van Buren, I fully believe that he would sanction it. They have both risen from the plain and humble walks of life to the first honors of the nation; and they could not be so unnatural as to arrest the facilities which general education would afford to the humble poor as well as to the more fortunate in life.

The proposition which I have offered is to extend to the old States the like quantity of the public lands which have been given to the new. It goes farther: it proposes an appropriation of an additional quantity to all the States and Territories, without specifying the precise amount.

It is the principle and the policy of the measure which I have thought sufficient for the present to discuss, without embarrassing it with details, leaving the latter to be adjusted by the committee which the House may charge with the subject.

I have no hesitancy in stating, however, that I should prefer that the whole proceeds of the sales of the public lands should be set apart for the exclusive support of academies and common schools in all of the States. Such propositions have been made, as I will presently show, at various times.

If the same amount should be distributed to the old which the new States have received, they would receive, as the following table will show, which may not in all respects be accurate, the following amounts:

|  |   |   |   |               |
|--|---|---|---|---------------|
| New Hampshire contains 6,074,240 acres.  |   |   |   | <i>Acres.</i> |
| One thirty-sixth part of that extent, being the proportion of the public lands which that State would be entitled to for the support of common schools, is | - | - | - | 168,728       |
| One fifth of that thirty-sixth for colleges and academies, is  | - | - | - | 33,745        |
|  |   |   |   | <hr/>         |
|  |   |   |   | 202,473       |
| Vermont contains 6,551,680 acres.  |   |   |   |               |
| One thirty-sixth part, -   | - | - | - | 181,991       |
| One fifth of one thirty-sixth, -   | - | - | - | 36,398        |
|  |   |   |   | <hr/>         |
|  |   |   |   | 218,389       |
| Massachusetts, including Maine, contains 28,990,000 acres.   |   |   |   |               |
| One thirty-sixth part, -   | - | - | - | 805,277       |
| One fifth part, -  | - | - | - | 161,055       |
|  |   |   |   | <hr/>         |
| Total for Massachusetts and Maine,   | - | - | - | 966,282       |
| Rhode Island contains 1,011,200 acres.   |   |   |   |               |
| One thirty-sixth part, -   | - | - | - | 28,088        |
| One fifth part, -  | - | - | - | 5,617         |
|  |   |   |   | <hr/>         |
|  |   |   |   | 33,705        |

|   |   |   |                         |
|---|---|---|-------------------------|
| Connecticut contains 2,991,360 acres.                     |   |   |                         |
| One thirty-sixth part,                                    | - | - | 83,093                  |
| One fifth part,   | - | - | 16,618                  |
|   |   |   | <u>99,711</u>           |
| New York contains 28,800,000 acres.                       |   |   |                         |
| One thirty-sixth part,                                    | - | - | 800,000                 |
| One fifth part,   | - | - | 160,000                 |
|   |   |   | <u>960,000</u>          |
| New Jersey contains 5,324,800 acres.                      |   |   |                         |
| One thirty-sixth part,                                    | - | - | 144,577                 |
| One fifth part,   | - | - | 28,917                  |
|   |   |   | <u>173,494</u>          |
| Pennsylvania contains 29,872,000 acres.                   |   |   |                         |
| One thirty-sixth part,                                    | - | - | 829,777                 |
| One fifth part,   | - | - | 165,955                 |
|   |   |   | <u>995,732</u>          |
| Delaware contains 1,356,800 acres.                        |   |   |                         |
| One thirty-sixth part,                                    | - | - | 37,688                  |
| One fifth part,   | - | - | 7,537                   |
|   |   |   | <u>45,225</u>           |
| Maryland contains 8,960,000 acres.                        |   |   |                         |
| One thirty-sixth part,                                    | - | - | 248,888                 |
| One fifth part,   | - | - | 49,777                  |
|   |   |   | <u>298,665</u>          |
| Virginia contains 44,800,000 acres.                       |   |   |                         |
| One thirty-sixth part,                                    | - | - | 1,244,444               |
| One fifth part,   | - | - | 248,888                 |
|   |   |   | <u>1,493,332</u>        |
| North Carolina contains 29,720,000 acres.                 |   |   |                         |
| One thirty-sixth part,                                    | - | - | 825,555                 |
| One fifth part,   | - | - | 165,111                 |
|   |   |   | <u>980,666</u>          |
| South Carolina contains 15,411,200 acres.                 |   |   |                         |
| One thirty-sixth part,                                    | - | - | 428,617                 |
| One fifth part,   | - | - | 85,617                  |
|   |   |   | <u>513,703</u>          |
| Georgia contains 39,680,000 acres.                        |   |   |                         |
| One thirty-sixth part,                                    | - | - | 1,102,222               |
| One fifth part,   | - | - | 226,444                 |
|   |   |   | <u>1,328,666</u>        |
| Kentucky contains 32,000,000 acres.                       |   |   |                         |
| One thirty-sixth part,                                    | - | - | 888,888                 |
| One fifth part,   | - | - | 177,777                 |
|   |   |   | <u>1,066,665</u>        |
| Total amount to the States which have not received lands, |   |   | <u><u>9,370,760</u></u> |

This amount of the public domain sold at \$2 an acre, which is about the average price which the public land has sold for, would make an aggregate of \$18,741,520. The simplest rule of mathematics will easily inform us how greatly these several amounts would increase, not only for the same beneficent purpose to the old, but to the new States likewise—for all would have a proportional interest and would receive a similar benefit in the measure—if all of the public domain were set apart for the promotion of education among all of the people of the nation. Nor do I entertain the slightest doubt that every State in the Union would give the measure its cordial and zealous sanction, if the question were brought home to the bosom of



every man in the Union. Many propositions of a like and kindred character have been submitted in this House and in the Senate.

On the 12th of February, 1823, Mr. White moved that the House do come to the following resolution, viz :

*“Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of appropriating and setting apart a moiety or portion of the avails of the annual sales of the public lands, for the purpose of establishing a permanent increasing fund; the interest of which, after it shall have increased to a given sum, shall be distributed for the promotion of education in the several States, according to the principles of equal right and justice.”*

The following year (1824) Mr. Strong submitted the following resolution :

*“Resolved, That all moneys which shall be received on account of the sales and entries of the public lands, after the 4th day of July, 1825, ought to be appropriated exclusively to the support of common schools and the construction of roads and canals; and that the said moneys ought to be divided between the several States and Territories, in proportion to the representation of each in the House of Representatives of the United States, and applied by them respectively to the aforesaid purposes, in such manner and with such limitations and conditions as the Congress may prescribe.”*

The next year (1826) Mr. Dickerson, of the Senate, made a report upon a similar resolution.

The committee state that they “have come to the conclusion that great advantages would result to the United States from an annual distribution among them, by some equitable ratio, of a portion of our national revenue, for the purposes of education and internal improvement, as the State Governments may respectively deem most to their advantage, &c.

“Money, distributed as proposed, would give new activity to industry and enterprise in all the States, and that equally and simultaneously.

“It would create a vigilance on the part of the State Governments over the expenditures of the General Government, and thereby prevent the waste of money, and the adoption of extravagant measures that might diminish the amount of the annual dividends.

“It would secure impartial justice to all the States in the distribution of the expenditures of our revenue, a failure of which at present is a subject of loud and just complaint.

“It would relieve the General Government of the serious inconvenience of an overflowing Treasury, which, if not provided for in the manner proposed, or by a reduction of our revenue, will impair the most important principles of our constitution.

“It would relieve the two Houses of Congress of a large portion of legislation, now devoted to the disposal of our surplus funds—legislation of the worst kind, calculated to produce combinations, sectional feelings, injustice, and waste of the public treasure.”

Although there was at that time a large national debt, estimated by the report of the Secretary of the Treasury to be, on the 1st day of January, 1826, \$80,985,537 25, yet the Senate’s committee reported in favor of the plan of dividing the revenues from the public lands among the States, for the purposes of education and internal improvement, and state that—

“Under a plan to distribute among the States a portion of our national revenue, and at the same time to provide for the gradual reduction of the public debt, it is proposed to divide annually, after the year 1827, one half of the amount appropriated for the sinking fund, to wit, five millions of dollars, among the several States, by some equitable ratio, until the funded debt bearing six per cent. interest shall be extinguished; after that, to divide among the States ten millions of dollars annually, until the funded debt bearing five per cent. interest, and that bearing four and a half per cent. interest, shall be extinguished; and after that, to divide among the States *fifteen millions of dollars annually*, leaving the residue of the funded debt, bearing three per cent. interest, to be redeemed at some distant period.”

Various other propositions have been urged, or rather introduced into each of the two Houses, prior and subsequent to the period I

have alluded to. One, which was reported by Mr. Clay, of Kentucky, and was ably supported, passed both Houses of Congress, but the executive veto of General Jackson prevented its being carried into operation. It was in some degree a modification of the various other propositions which had been introduced: it allowed a bounty of some fifteen per cent. upon the amount of sales of the public lands, in favor of those States within whose limits the lands might be situated. As a measure of final compromise, that measure was approved by both Houses of Congress.

But I never could appreciate the force of the reasoning, upon principle, which would justify such a discrimination. The same reasoning which will allow a bounty to the new States, because the land is generally sold within their limits, and the money paid into the Western land offices, would justify the old and importing States in exacting a similar bounty on the amount of revenue which they have to pay in the form of duties. Why should not Maryland exact fifteen per cent. upon the amount of revenue collected at the port of Baltimore, on the same grounds? That revenue is paid by her citizens. And the mariner who pours the rich freight of his vessel into the lap of that city encounters, in truth, more peril and more hardship, in navigating the ocean, and encountering every danger, from pole to pole, than the Western pioneer does in felling the dark forests of the West.

It was one of the strongest grounds of opposition to the adoption of the constitution which Luther Martin took in convention, as well as afterwards in his speech before the Legislature of Maryland, that, by the operation of the constitution, if adopted, Maryland would surrender all control over her commerce and its revenue, and it was one of the causes of his withdrawing himself from the convention.

To be just before generous, is a maxim of equity as well as law, derived from the soundest principles of morality.

I have read all the articles of cession, all the compacts, and can no where find even an intimation, a sentence of doubt, that will allow one State to have a greater proportion of benefit from the proceeds of the public lands than another. The General Government has been made an agent, a trustee, by the States, for their mutual convenience and benefit, with express injunctions to be impartial in the appropriation and distribution of the common property of all the States of this Union.

On this part of the subject I shall offer one other extract, and that is [from the proceedings of the Legislature of Ohio; and I cannot withhold my admiration of the sound and firm grounds which it has taken on this subject. A State, which but forty years ago was a vast wilderness, by the bounty of the General Government and its soil, with an enterprising population, is now the third State in the Union in population and power, and already

“leads  
New colonies forth, that towards the Western seas  
Spread like rapid flame among the autumnal trees.”

The resolutions were passed on the 2d February, 1838, and the part which I shall read is as follows :

“ We do, therefore, declare that the public lands of the United States are the property of the whole Union, held in trust for the States ; that this trust can only be answered by giving to all the States the proper proceeds of their value ; that we protest against any change in the long-established system of managing the national estate, as it was devised by the Congress of the Revolution, and sustained by every administration of the Government till the present ; and we maintain that the lands shall be sold at their proper price, for the benefit of all the people of the States, not squandered and confiscated for the benefit of a few ; and we also maintain that the six hundred millions of acres yet unsold are the great inheritance of the future people of these States ; and that any faithless consent of this generation to abandon that inheritance to the Federal Government, to be sold piecemeal, and the money used as common revenue, would be to make that Government more powerful, and to foster extravagance in public expenditure, while it would lessen the rights of the States *and deprive them of this unfailing means of advancing the condition of their people for centuries to come.*”

For the reputation of the new States, I could wish that such sentiments were more generally prevalent among them. And I may as well say at this time that my remarks in relation to appropriations of land, made by the General Government to the Western States for the promotion of education, do not apply but in a very limited degree to Kentucky and Tennessee. Kentucky has received a small portion, to aid some of her eleemosynary institutions, and Tennessee has received about two hundred thousand acres for academies and colleges.

The views taken by the Legislature of Ohio are worthy of that enterprising and enlightened State, and commend themselves to the emulation of the older, less fortunate, and less prosperous States of the Union ; they show practical intelligence and sagacious wisdom ; they look beyond the present, and point to the distant future. Instead of treating and using the vast public domain as a fund for political gambling and political bribery, instead of throwing it out as a lure to the ambitious or the avaricious, as is too much the case in the present day, how much better would it be for the present and future generations if it were set apart as a sacred fund, to be used for educational purposes, and no other ; not to be touched for any other purpose, in either peace or war. If the whole proceeds were set apart for that exclusive purpose, with the privilege of the States to invest one half of their distributive shares in works of internal improvement, first guarantying to the Government, as the agent of all, (for I would have the present land system of the General Government continued,) the legal interest of the State on the amount invested in improvements, to be faithfully paid into the school fund of the State, this warfare between the State and General Governments would cease ; this conflict between different sections of the Union would end ; and a policy as enduring as our institutions would be established ; and our institutions would be made enduring by this very policy.

“ A despotism,” says Montesquieu, “ is supported by *fear*, a republic by *virtue*.” Our institutions can only be supported by the wide diffusion of *moral education* among all conditions of the people.



Those who limit their views to the present, and close their eyes to the future, are unsafe agents of the people. The lifetime of an individual is but a day in the history of a nation.

Congress should legislate as if this nation and its free institutions were to be lasting; it is only by viewing them so that they will be made perpetual. To look not alone at ourselves, selfish as human nature has formed us, but, in the language of Bulwer, to look at the *eternal people*, the teeming millions who are to crowd these States, to draw their support from its soil, and who must sink into ignorance, into anarchy, or into despotism, if they have not the means and facilities of early and progressive education.

The calculation which I have already exhibited shows the probable increase of population. I will offer a few more facts, as they will elicit in every judicious mind better arguments than any I could offer.

The number of inhabitants to the square mile in the United States at the last census (1830) averaged 16: in New England 20.9, in the Middle States 26.3, in the Southern States 7, in Massachusetts 81, in New York 41.5, in Pennsylvania 30.6, in Ohio 24, in Illinois 3, in the Western States 11. Now, suppose that each State had at the present time a sum set apart to educate all of their children, (which I will presently show is not the case,) how immensely that amount will have to increase to be sufficient to educate all the children of each State, when the population of each State becomes even as numerous as some of the nations of Europe at the present time. The number of inhabitants to a square mile in England is about 230, in France 160, in Germany it varies from 100 to 200. Humboldt has made a calculation, predicated upon the capability of the soil of America to produce the prime necessities of life, and estimates that it is abundantly capable of supporting a population of 3,600,000,000; a mass of human beings five times as numerous as all who now exist upon the face of the globe. He estimated that the number would be, in 1830, 21,000,000; without including Indians and negroes; in 1930, to be 336,000,000; in 2030, to be 2,380,000,000. The United States is the most productive region of the continent, excepting a portion of Mexico and a few provinces still further south.

I will not fatigue the attention of the House by dwelling much longer upon these general considerations, but will attempt to present the question to the contemplation of the House, in relation to its bearings upon the present age and the rising generation; for it seems to be a controlling principle of our nature to look less at the past, and to be more indifferent of the wordly future, than to seize with salutary avidity the present; and it is a trait which all will admit the existence of in the American character, and which controls their pursuits in an eminent degree—the acquisition, by the shortest road, of the prize of affluence and wealth. The slow and gradual pursuit of gain our restive and enterprising minds will neither appreciate nor comprehend. We lie down with dreamy visions of wealth, and awake boldly nerved for its speedy attainment. But we know

Let us examine, for a moment, the condition of education in the nations which we have too often been in the habit of contemplating as inferior to our own in the onward march of civilization and instruction. According to Lord Brougham's statement, in 487 parishes in England there had been educated in 1818, when England adopted a more liberal system of popular education, 50,000 children. What, let me ask, was the effect of that system? In the same parishes, in 1828, there were educated 105,000; so that, in the brief period of ten years, the number of children who had received the benefits of education had more than doubled. What, let me ask, is the extent of the system pursued in other nations, and especially Prussia? We find from an extract in Cousin, from a report published in the Royal Gazette of Berlin, in 1828, that, according to the census made at the end of 1825, the number of inhabitants in the whole of the Prussian monarchy amounted to 12,256,725; amongst whom were 4,487,461 children under 14 years of age; which gives 366 children for every 1,000 inhabitants, or about eleven thirtieths of the nation.

Elementary schools for town and country, ordinarily for both sexes together, - - - - - 20,887

|        |   |   |   |   |   |   |   |        |
|--------|---|---|---|---|---|---|---|--------|
| Total, | - | - | - | - | - | - | - | 21,623 |
|--------|---|---|---|---|---|---|---|--------|

|             |   |   |   |   |        |
|-------------|---|---|---|---|--------|
| Masters, -  | - | - | - | - | 22,261 |
| Mistresses, | - | - | - | - | 704    |

|                        |   |   |                   |
|------------------------|---|---|-------------------|
| To which must be added | - | - | 2,024 assistants. |
|------------------------|---|---|-------------------|

|       |                       |   |             |         |
|-------|-----------------------|---|-------------|---------|
| Boys, | { Elementary schools, | - | - 822,077 } | 871,246 |
|       | { Burgher schools,    | - | - 49,169 }  |         |

|                           |                       |   |   |         |                  |
|---------------------------|-----------------------|---|---|---------|------------------|
| Girls,                    | { Elementary schools, | - | - | 755,922 | } 792,972        |
|                           | { Burgher schools,    | - | - | 37,050  |                  |
| Total number of children, |                       |   |   |         | <u>1,664,218</u> |

Now, we have reckoned the total population of children from 7 to 14 years of age, in the whole monarchy, at 1,923,200 ; it follows, then, from the foregoing calculation, that out of every FIFTEEN *children*, THIRTEEN *actually attend public schools* ; and as we have to allow for those who go to private schools, or who receive instruction at their fathers' houses, or who have perhaps already entered the lower classes of the gymnasia, the general state of things appears sufficiently gratifying. What a contrast will this exhibit to the condition of education in most of the States in this Union.

In Prussia, Austria, and Germany, scarcely a child grows up uneducated. In most of the States of this nation, thousands and tens of thousands are destitute of education, as will presently be shown. Sweden (says Lord Brougham) is, perhaps, the best educated country in the world ; it is difficult to find there one person in a thousand who cannot read and write.

Even Russia, semi-barbarous as we are prone to regard her, is improving in a liberal way her system of education. The St. Petersburg Journal states that 160,105 children of *soldiers and recruits* were educated *at the expense of the Crown*, in the year 1832. During an interval of eight years, 4,343 such children were brought up as clerks in offices, 2,308 as assistant surgeons, 452 as land surveyors, 586 as shipwrights, and 120 as musicians.

If we contrast the condition of education in most of the nations of Europe with the limited systems in this nation, we will be mortified to find how far we are behind the former. It is true that Massachusetts, Connecticut, New York, Ohio, and one or two other States, have adopted a liberal and general system of public schools ; but even in those States there is much room for improvement ; and although in Connecticut one third of the population of 275,000 attend the free schools, still the foundations of education should be extended deeper and wider. In most of the other States the system of education is most culpably deficient. Although the system of education has been greatly improved since, yet, by a report made seven or eight years ago, it was stated that

“ This country contains more than four millions of children, who ought to be under the influence of common schools. But by a recent estimate it appears that *more than a million of children* are growing up in the United States in ignorance, and *without the means of education* ; of these, 250,000 are said to be in Pennsylvania. An estimate made in 1828 showed that, of the children of New Jersey, 11,743 were entirely destitute of instruction, and 15,000 adults unable to read.”

Between the statement which I have read, and the following extract from Governor Wolf's message afterwards, there will be discovered a discrepancy ; but either statement presents a deplorable state of education at the time. Governor Wolf says that,



"According to the last census, we have in Pennsylvania 531,180 children under fifteen, and 149,087 between the age of fifteen and twenty, forming an aggregate of 730,269 juvenile persons of both sexes under the age of twenty years, most of them requiring more or less instruction. And yet, with this numerous youthful population growing up around us, who in a few years are to be our rulers and our lawgivers, the defenders of our country and the pillars of the State, and upon whose education will depend, in a great measure, the preservation of our liberties and the safety of the republic, we have neither schools established for their instruction, nor provision made by law for establishing them, as enjoined by the constitution. I have no means of ascertaining, but am inclined to the opinion that 80,000 are entirely uninstructed."

Pennsylvania has adopted, within the last three or four years, a more liberal system of public instruction; and, in that brief period, the benefits have been beyond all anticipation. And never was a system more zealously opposed. During the conflict arising out of that measure, it was my fortune to travel through the greater part of that State, and I discovered that those portions of the State most uninformed, and requiring in the greatest degree education, were most zealously hostile to it. They enlarged upon tariffs and taxes, and were vehement in denunciations.

It was then that the truth of the remark of Dr. Chalmers forced conviction upon my mind, "that the inappetence of a people for education is in the exact ratio of its ignorance." What has been the effect of that system? From the report of Mr. Burrowes, superintendent of education to the Legislature of Pennsylvania, February 7, 1838, we find "that the whole number of scholars taught during the year, in the districts which reported, was 182,355." "The whole number of young persons, between five and fifteen years of age, in the districts that reported, is supposed to be about 200,000.

"So far as the returns have been received, the whole number taught in schools of all kinds, in the same districts, before the adoption of the system, was 80,000."

Then it appears that, in the short interval from the adoption of the measure to the present time, more than 100,000 children are now receiving the advantages of education, who otherwise would have grown up in degrading ignorance.

The measure of public education, which was at the moment of its adoption so unpopular, is now in those very regions hailed as the greatest public blessing. Which proves conclusively another fact: that, whatever may be the prejudices against a liberal system of education, when once adopted, he who would then oppose it would make himself infinitely more unpopular in the most illiterate community than was the original supporter.

As in State Governments, so in the National, prejudices may be created, timid apprehensions may alarm, worse considerations than either, may influence individuals in opposing a measure to appropriate the public domain for the diffusion of education among the States; but when such a policy shall, and I believe and hope will, prevail, the individual, if it should be possible that one such could be found in Congress, who would attempt to divert that fund, once set apart, from its munificent purpose, would be regarded as a more barbarous heathen than he who would in other times have wildly rushed into the

sanctuary of the solemn temples of the gods, and extinguished their vestal lights.

By the report of the committee appointed by the Legislature of Georgia, "of 83,000 children who ought to be in school, but 25,000 have the advantage of any education whatever."

Thus Georgia, the mother of two powerful and wealthy States, presents the sad picture of allowing 58,000 children to grow up within her limits in the most cruel and profound ignorance; a State which reserved in her articles of cession her just proportion of the public lands. When was the voice of that State heard in this hall in favor of a distributive share of the public lands for education, which she so much requires?

I have seen no report from North Carolina, and I deeply regret that there is not a feeling of reciprocity between the States and the National Government, to furnish each with all of their reports and public proceedings; for, alike in State or the National Legislature, its members are embarrassed in their public deliberations, from a want of access to useful reports. But North Carolina must greatly require an improved system of education; for you will find in the journals of this House, in the evidence in relation to the contested election from North Carolina in the 1st session of the 22d Congress, that, out of one hundred and eleven voters who gave testimony, twenty-eight had to make their marks; in other words, *one third* could not write their names. And her voice has not been heard in this hall or the other, in claiming a portion of the public domain for the education of her ignorant children. A State which is the parent of Tennessee; a State in which Sir Walter Raleigh's emigrants first settled; a State which has the honor of standing proudly the first to declare, by a political State act, (to say nothing about her Mecklenburg convention,) her determination to be separated from the mother country; for, on the 12th April, 1776, the Congress of North Carolina "empowered their delegates to declare independence."\*

If we were to form a general opinion of the condition of education in other States, from like circumstances, we would conclude that Kentucky is but slightly in advance of North Carolina.

You will find recorded, in your journal of proceedings, a case almost as remarkable, in the first session of the succeeding Congress. That in the evidence given in the contested election of Moore and Letcher, of one hundred and twelve names of witnesses which I

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\* In a work written by Mr. J. Seawell Jones, of North Carolina, which entitles him to the admiration of the country and the lasting gratitude of his State, he has abundantly proven that his native State is entitled to the honor to which I have alluded; and since his excellent work has been published—his "Defence of the Revolutionary History of the State of North Carolina"—the distinction which he has claimed for her is fully corroborated, if additional proof than that which he adduces were necessary, by the researches of Mr. M. St. Clair Clarke, at Albany, and at other places, whilst compiling the American State Papers.

counted, sixteen were marksmen, or about one fifth, who could not write their names.

By the last report of the superintendent of common schools, it appears that in the year 1836, in the districts of New York from which reports had been received, there were 524,188 instructed, and that the number of children residing in those districts, over five years old and under sixteen, was 563,882; so of that number 39,694 did not attend common schools.

I pass over other States, and will say that my own State is far behind the age in mental improvement, from an absence of a more general system of public education. In the congressional district which I represent there is scarcely a single school in which a poor man who has not the means to incur the expense can have his children educated. And what, Mr. Speaker, can be more agonizing to a sensitive mind, when the physical energies are paralyzed by affliction, than the reflection of such a parent, that the children which he is to leave behind him are to grow up in ignorance, and to be made the prey of every vice, and to be allured to ruin by every temptation.

How different must be the decline of one, though poor and prostrated, when he can find his pillow softened by the belief that, though disease and poverty may harass him, his mind can still fondly linger on the consoling reflection that his offspring, if left penniless, will still be educated; and how cheering the hope that their fate may be different; and that, when the fond parent is no more, his children, by public instruction, by industry, and the force of genius, in a country where all the avenues of enterprise and promotion are thrown wide open to character and to talents, may be useful to society and adorn his country, and rescue from the grave the name of their father, and extend it with their own through a grateful nation. By the census of 1830, there were in the United States, between the ages of five and fifteen years, 2,845,037 white children; the number now is more than 3,000,000, all of whom should receive a moral and useful education. Lord Brougham asserts that "it is not enough to say that a child can learn a great deal before the age of six years; the truth is that he can learn, and does learn, a great deal before the age of six years; the truth is that he can learn, and does learn, a great deal more before that age than all that he learns or can learn in all after life." I do not feel qualified to discuss the truth or error of this proposition; but will assert that, if it is true, every one who values either the institutions of his country or the happiness of the people must feel a strong solicitude in having schools established which will give instruction and proper moral direction to the youthful mind. There is no truth more fully established in morals, than that a nation or people are vicious in proportion to their ignorance. In illustration of the position, I will refer to a passage in Lord Brougham's speech on education, in the House of Lords, some three years ago. He states, that of "700 persons who were put on their trials, in the winters of 1830 and 1831, charged with rioting and arson, and of



those 700, only 150 could read and write ; all the rest were marksmen. Of the number of boys committed to Newgate, during three years, two thirds could neither read nor write.

“ At the refuge for the destitute it is still worse ; for, from an examination there made, it appears that the number of children received who can read with tolerable facility is in the proportion of only one in every thirty or thirty-five.”

But, Mr. Chairman, I feel forced to hurry through this portion of the subject, and the reflections which naturally arise from it. I am quite sure that I have fatigued the House as well as myself.

The effect of education upon a nation is not alone in the mental and moral exaltation of its people, but the consequence is in equal ratio upon its physical energies and the increasing development of its resources. To sustain the latter position I will read an extract from the very able and most valuable work of Mr. E. C. Wines, on the subject of “ Popular Education.” He says that “ the intellect of this people is not cultivated to one fourth—scarcely, perhaps, to one eighth—the extent that it would be by the adoption of a wise system of universal education. And who can calculate the results? What imagination can set limits to the pecuniary advantages that would accrue to the country, if useful inventions and discoveries were multiplied fourfold;” that, “ In illustration of this point, President Young has made a comparison, founded upon the statistics of Baron Dupin, between the commercial and manufacturing condition of England and France. From this calculation it appears that the *muscular force* employed in commerce and manufactures in these two countries *is about equal*, being in each equivalent, in round numbers, to the power of *six millions of men*. Thus, if the productive enterprise of the two countries depended solely upon the animate power employed, France ought to be as great a commercial and manufacturing country as England. But *the English*, by means of machinery, *have increased their force to a power equal to that of twenty-five millions of men*, while *the French* have only raised theirs to *that of eleven millions*. England, then, owing to her superiority in discovering and inventing, has *more than quadrupled her power of men and horses*. France, on the other hand, has *not quite doubled hers*. Is it,” the learned professor then pertinently inquires, “ is it now any wonder that these islanders, with a narrower territory, smaller population, and less genial climate, should immensely outstrip their less intelligent and ingenious neighbor? And can we conceive a stronger proof of the actual pecuniary gain that accrues to a nation, from *cultivating the intellect of her sons*, than is furnished from such a fact?” How much does England gain by her superiority over France from this fact? The actual commercial and manufacturing power of the latter country *is only two fifths* of that of the former. The present annual value of the cotton manufacture of Great Britain, according to the Encyclopædia Britannica, is estimated to be about thirty-five millions of pounds sterling. *Three fifths* of that sum, or *more than twenty millions of*

pounds, is England's clear gain over her less skilful rival—an amount more than three times as great as *the whole present annual revenue of the United States*; and for this vast and ever-increasing tide of prosperity England is clearly indebted to *popular education, which is the parent of intelligence*, and the ultimate cause of all those improvements in the cotton manufacture by which these amazing results have been secured.

At one time England imported her cotton fabrics from India. By the invention of machinery she now imports the raw material, sends it back seven thousand miles, manufactured, for sale in a country where the hand-loom is still used. By Middleton's genius London is saved annually about eight millions of dollars in the facilities of furnishing water for that city. What amount of labor has been saved by Whittemore's card-making machine? Whitney's invention of the cotton gin has more than doubled the value of every acre of cotton land in the South. And Fulton created a miracle by his steam invention, which has propelled the past generation more than two centuries ahead of their otherwise destination. It is beyond the estimate of human calculation to compute the resources and power of this nation, if education were universally diffused, so as to bring its influence to bear upon their full development. But the limited statements which I have given show how deplorable is the condition of education in most of the States; how many who cannot even read or write. The Emperor of Austria has issued an edict preventing those from marrying who cannot read or write. The purpose is good; yet in this country it would be regarded as cruel. By the constitution of Peru, no one will be allowed the privileges of citizenship after 1840 who cannot read and write. With all our boasted intelligence, such a law would create in this nation a civil revolution.

What lover of his country would not hope that the day was but shortly distant when this nation would present a spectacle worthy of its destination, when every citizen should enjoy the benefit of a generous education. And I would speed, with Wordsworth,

“The coming of that glorious time  
When, prizing knowledge as her noblest wealth  
And best protection, this imperial realm,  
While she exacts allegiance, shall admit  
An obligation, on her part, to *teach*  
Them who are born to serve her and obey;  
*Binding herself by statute to secure,*  
*For all the children whom her soil maintains,*  
*The rudiments of letters; and to inform*  
*The mind with moral and religious truth.”*

Mr. Speaker, I am fully conscious that I have occupied the time of the House to an unusual extent. I am fully convinced that other and distinguished members will exert their powerful talents in support of the measure. I hope that Virginia will lift up its able and strong voice in support of the resolutions which I have had the honor of introducing. I do anxiously hope that that State will never be

silent, until the letter and spirit of its articles of cession are complied with ; that it will not be contented with its great State University, but will press education in every region of that noble State. State colleges and State academies furnish the best education to their pupils ; but it is the affluent alone, who can send their children to those institutions. It is there that education, like the Lapland sun, gilds with its rays the edifice on the eminence, but they reach not the cottage beneath the hill.

If virtue and intelligence are the true and lasting foundations of a free government, how imperative is the duty which rests upon those intrusted with the power of legislation to adopt a general system of public education. Whilst it improves the moral virtues, and exalts the head and the heart, it would do more than the avenues of intercommunication to knit together the Union of these growing and powerful States, and would unite them in amity and good feeling like a garland of flowers.

Opposition to the proposition will be made, but I hope it will not be insurmountable. Every liberal plan of ameliorating the condition of those who most require it will have to encounter prejudices. And on this point I will read, as applicable to my views, an extract from James on Education :

“The first opposition will proceed from a spirit which the necessities of the times originally generated, and which, by the outcry of short-sighted men, and the *declamation of interested and ambitious men*, has been carried to a pitiful and lamentable excess. I mean the spirit of petty economies, *or the sacrifice of great and certain advantages to small but immediate savings.*”

In conclusion, I will say, if the members in this House should refuse to support a measure calculated to give their States a distributive proportion of the public lands for the promotion of education, I will renew the proposition, as long as I may be allowed a seat in Congress, in another form. I will insist upon the right of my own State to her just proportion, and will never tire in urging it until its final success. If justice should sometimes be slow, it is generally triumphant in the end.

But I hope that the members from the old States, and the liberal from the new, will take a firm ground, and take it quickly, in favor of this measure ; that they will not let another census and a reapportionment of representation be taken until this question shall be carried. They have the power to do their States justice, if they have the will, and it is time for the old and devoted States to

“Begin, be bold, and venture to be wise.  
Those who defer this work from day to day,  
Do on a river's bank expecting stand,  
Till the whole stream which pass them shall be dry,  
Which runs, and as it runs forever will run on.”

P.D.-5















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